BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA,
MINUTES
REGULAR MEETING
DECEMBER 2, 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, December 2, 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 Allen, Vice Chairman; 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

Dr. Yeung 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 first like to address the community conversation regarding the personal property tax. He said that the Board initially passed a resolution to extend the due date to January 9, 2026, but due to procedural errors, the current due date was December 20, 2025 on the Treasurer's website. He said that the Board would be taking action in their next meeting to extend it to January 9, 2026, with no penalties. He said that he would like to encourage the community to take advantage of this extended deadline.

Mr. Diggs said that next, he would like to remind the public about the County's upcoming tree lighting event. He said that he invited everyone to join them on Friday, December 5, 2025 from 6:00 p.m. to 8:00 p.m. at the George L. Gordon, Jr. Government Center and enjoy the live performances, food trucks, artisans, and vendors offering unique gifts and treats. He said that free parking and shuttle service would be available at the nearby VDOT commuter lot. He said that he would be hosting the tree lighting ceremony at 7:00 p.m. He said that for more information, they should visit StaffordCountyTreeLighting.com. He said that also, Stafford was partnering with the Marine Corps for their annual Toys for Tots campaign. He said that donations could be dropped off in the bin located in their lobby at 1300 Courthouse Road from Monday through Friday from 8:00 a.m. to 4:30 p.m. until December 9, 2025. He said that everyone could find more information on the front page of the County website, www.staffordcounty.gov.

Mr. Diggs said that they celebrated GIS Day on November 19, 2025 to recognize the importance of their mapping and Geographic Information Department. He said that they deployed a geocache in each of their seven election districts to help the public learn more about GIS. He said that anyone could find them on geocaching.com at StaffordCogov. He said that geocaching was a fun and free way to get families out in their parks.

Mr. Diggs said that he hoped their residents and staff had a safe, meaningful, and restful Thanksgiving holiday. He said that he extended his sincere appreciation to their staff who remained on duty to serve the community throughout the holiday, as well as their first responders. He said that he hoped the Thanksgiving period provided a moment of reflection, rest, and renewal as they entered the remainder of the year.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

William Ashton, County Administrator, said that there were no additions or deletions to the regular agenda.

Ms. Bohmke motioned, seconded by Ms. Allen, to approve the Regular Agenda.

The Voting Board tally was:

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

CONSENT AGENDA

ITEM 1. CAPITAL PROJECTS TRANSPORTATION; (1) SUSPEND BY-LAWS SECTION 11.1 TO VOTE ON THIS RESOLUTION, (2) BUDGET AND APPROPRIATE TRANSPORTATION FUNDS, AND (3) AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH WALLACE, MONTGOMERY & ASSOCIATES, LLP FOR PRELIMINARY DESIGN SERVICES FOR THE WARRENTON ROAD WIDENING PROJECT; PROPOSED RESOLUTION R25-256

ITEM 2. CAPITAL PROJECTS TRANSPORTATION; (1) SUSPEND BY-LAWS SECTION 11.1 TO VOTE ON THIS RESOLUTION, (2) BUDGET AND APPROPRIATE TRANSPORTATION FUNDS, AND (3) AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH WALLACE, MONTGOMERY & ASSOCIATES, LLP FOR PRELIMINARY DESIGN SERVICES FOR THE ROUTE 1 AT FORESTON WOODS INTERSECTION PROJECT; PROPOSED RESOLUTION R25-255

ITEM 3. CAPITAL PROJECTS UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR AQUIA WWTP MCC ROOM & SWITCHGEAR SYSTEM UPGRADES WITH MAVERICK CONSTRUCTION, LLC; PROPOSED RESOLUTION R25-294

ITEM 4. COMMUNITY ENGAGEMENT; APPROVE A PROCLAMATION TO RECOGNIZE SUPERVISOR MEG BOHMKE FOR HER YEARS OF OUTSTANDING SERVICE ON THE STAFFORD BOARD OF SUPERVISORS AND TO THE CITIZENS OF STAFFORD

COUNTY; PROPOSED PROCLAMATION P25-30

ITEM 5. COMMUNITY ENGAGEMENT; APPROVE A PROCLAMATION TO RECOGNIZE SUPERVISOR MONICA GARY FOR HER YEARS OF OUTSTANDING SERVICE ON THE STAFFORD BOARD OF SUPERVISORS AND TO THE CITIZENS OF STAFFORD COUNTY; PROPOSED PROCLAMATION P25-31

ITEM 6. COUNTY ADMINISTRATION; ENDORSE THE VIRGINIA ASSOCIATION OF COUNTIES' (VACO) 2026 LEGISLATIVE PROGRAM; PROPOSED RESOLUTION R25-138

ITEM 7. COUNTY ADMINISTRATION; OPPOSE ALIGNMENTS OF THE PROPOSED NORTH ANNA-KRAKEN LOOP ELECTRIC TRANSMISSION PROJECT THAT WOULD NEGATIVELY IMPACT STAFFORD COUNTY AND REQUEST ADDITIONAL ENGAGEMENT FROM DOMINION ENERGY; PROPOSED RESOLUTION R25-303

ITEM 8. COUNTY ADMINISTRATION; AUTHORIZE AND PROVIDE AN ADDITIONAL FOUR HOURS OF HOLIDAY PAY ON WEDNESDAY, DECEMBER 24, 2025 IN OBSERVANCE OF THE CHRISTMAS EVE HOLIDAY

ITEM 9. COUNTY ADMINISTRATION; APPROVE THE OCTOBER 21, 2025 BOARD OF SUPERVISORS MEETING MINUTES

ITEM 10. COUNTY ADMINISTRATION; APPROVE THE OCTOBER 28, 2025 BOARD OF SUPERVISORS MEETING MINUTES

ITEM 11. DEVELOPMENT SERVICES; PETITION VDOT TO INCLUDE ABEL LAKE WAY, LAKE BLUFF COURT, AND LAKE SIDE VIEW COURT WITHIN THE GRAYSTONE AT ABEL LAKE SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS; PROPOSED RESOLUTION R25-300

ITEM 12. FACILITIES MAINTENANCE; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE LEASE AMENDMENTS FOR THE DEVELOPMENT SERVICES AND CAPITAL PROJECTS OFFICES LOCATED AT 2126 AND 2128 RICHMOND HIGHWAY; PROPOSED RESOLUTION R25-282

ITEM 13. PARKS AND RECREATION; RATIFY PRIOR EXPENDITURES AND RATIFY A CONTRACT EXECUTED WITH CLEAN RESTROOM RENTALS, INC. FOR PORTABLE SANITARY FACILITIES AND PUMP AND HAUL SERVICES; PROPOSED RESOLUTION R25-264

ITEM 14. SHERIFF; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES WITH LIONHEART ALLIANCE, LLC. FOR THE PURCHASE OF RIFLE-RATED BALLISTIC SHIELDS; PROPOSED RESOLUTION R25-297

ITEM 15. SHERIFF; (1) SUSPEND BY-LAWS SECTION 11.1 TO VOTE ON THIS RESOLUTION, (2) BUDGET AND APPROPRIATE FISCAL YEAR 2025 YEAR-END FUNDS, AND (3) AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A

<u>CONTRACT WITH CENTRALSQUARE TECHNOLOGIES, LLC FOR A NEW COMPUTER- AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEM; PROPOSED RESOLUTION R25-298</u>

<u>ITEM 16. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A WORK ORDER WITH MULLER, INC. FOR THE CAMBRIDGE STREET SANITARY SEWER REPLACEMENT; PROPOSED RESOLUTION R25-296</u>

Mr. Diggs asked if Board members wished to pull any items from the Consent Agenda.

Mr. English asked to pull Items 7 and 13.

Dr. Yeung asked to pull Item 8.

Ms. Bohmke asked to pull Items 5 and 15.

Ms. Allen motioned, seconded by Ms. Gary, to approve the Consent Agenda, excluding Items 5, 7, 8, 13, and 15.

The Voting Board tally was:

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

Mr. Diggs asked if Ms. Bohmke would like to address Item 5.

Ms. Bohmke said that given Board actions and discussions over the past two years, she unfortunately could not support this proclamation.

Dr. Yeung said that she was in favor of leaving this proclamation in place. She said that Ms. Gary had served their community, her community, and the Aquia District with dedication. She said that this proclamation reflected her years of service to Stafford County. She said that regardless of any differences or issues among colleagues, recognizing an individual's contributions to their community was the right thing to do, and she believed it should remain.

Ms. Allen motioned, seconded by Dr. Yeung, to approve Proclamation P25-31.

Mr. Diggs said that he concurred with Dr. Yeung. He said that none of them were perfect and they all made mistakes, and he did not think that one mistake took away from all the effort and work the Supervisors put in to serve their constituents and the community.

The Voting Board tally was:

> Yea: (5) Allen, Diggs, English, Gary, Yeung
> No: (2) Bohmke, Vanuch

Mr. Diggs asked if Mr. English would like to discuss Item 7.

Mr. English said that he pulled this item because it may be overlooked as part of the Consent Agenda. He said that he just wanted to notify people that this item was a Resolution from the Board recognizing that they needed to bury the proposed powerline. He asked if Dominion was planning to provide a presentation to the Board on this issue.

Mr. Ashton said that he intended to include that request in the letter he would send to them as a result of this action. He said that once the action was taken, the content of this action would be included in the letter along with a request to come to a meeting. He said that the draft of that letter was prepared to be sent, provided there were no changes to the Resolution.

Ms. Vanuch said that she had reviewed the Resolution but did not see a draft of the letter included in the packet. She asked if Mr. Ashton could be more explicit in describing what the letter would include. She said that she had also drafted a letter of her own that she shared with Mr. English and shared on her social media profiles. She said that the feedback she had received indicated that constituents were thus far very supportive of burying the lines and finding some alternatives. She said that she and Mr. English had recently reworded it to make it a joint letter. She said that she would also encourage her fellow Board members to sign onto it and she would be happy to include them. She said that it would be more powerful to have it come from Mr. Ashton, but she would like to keep it in the same tone as her letter. She said that she would be glad to talk through what his points were.

Mr. Ashton said that he would be glad to review it quickly. He said that the letter documented the Board's formal opposition to the proposed Kraken Loop. He said that specifically, it had significant concern regarding the impact on Stafford residents along the project corridor. He said that the letter went on to state that the Board was committed to working with Dominion, but requested a formal briefing on the Kraken Loop during the January 2026 meeting. He said that the letter also requested that Dominion Energy coordinate with the Board of Supervisors and County staff to ensure that the second round of community meetings were held at a larger location with sufficient time.

Mr. Ashton said that the Board also requested Dominion Energy to consider the project concerns raised by Stafford residents and project's impacts on the local community. He said that the letter also stated that the Board intended to closely monitor the project's progress, including future community meetings, and would be watching for and potentially participate in the submission to the State Corporation Commission (SCC) for approval.

Ms. Vanuch said that she thought Mr. Ashton's letter was great and very much in line with the talking points that she and Mr. English had in their letter. She said that however, her letter would be sent directly to Judge Towell and the Commissioners on the SCC. She said that she thought the earlier they flagged this to the SCC, the better they would be able to explain that there was community opposition. She said that as she had been tracking what was going on in Loudoun County, it appeared that as soon as Dominion petitioned the SCC, the SCC would simply ask for confirmation that Dominion had held the appropriate public hearings and constituent outreach. She said that from what she had heard from constituents who had attended those meetings, they were more like listening sessions without much opportunity for feedback or considering changes.

Ms. Vanuch said that she thought they needed to make it abundantly clear to the SCC that their they had big problems with that and they should encourage Dominion to hold additional sessions. She said that there was a plethora of additional things they could request the SCC to require Dominion to complete. She said that if they ultimately decided to go forward with the above-ground powerlines, the County could appeal that decision. She said that she wanted to encourage them to do everything they could regarding this matter, and she recommended sending a letter from Mr. Ashton to the SCC as well.

Mr. Ashton asked if he should copy the SCC on this letter he was sending to Dominion or if he should send a separate letter to the SCC.

Ms. Vanuch said that she believed it would be prudent to submit a separate letter to the SCC, but she would like to hear her fellow Supervisors' opinions.

Mr. Ashton said that he could do both.

Dr. Yeung said that in terms of Dominion's Kraken Loop and potentially burying the wires, she had previously had several meetings with them and agreed with Ms. Vanuch. She asked if Ms. Vanuch was asking Mr. Ashton to combine the two letters to make it stronger.

Ms. Vanuch said that Mr. Ashton could send a letter to Dominion and she would encourage them to also send a letter to SCC. She said that when Mr. Ashton sent a letter it was on behalf of the Board and constituents of Stafford.

Dr. Yeung asked if it would be the same letter with some of Ms. Vanuch's points included.

Ms. Vanuch said that the letter to the SCC should be a little bit different because they were positioning to the SCC that there were issues that needed attention and they should coordinate with the County to resolve them.

Dr. Yeung said that she requested that the letters be shared with the Board.

Mr. Ashton said that he would have copies of these by the end of the week. He said that he intended to release the Dominion letter immediately, and he would ask for the Board's comments on the SCC letter.

Ms. Bohmke said that she agreed they should send two separate letters. She said that they were dealing with two separate boards with separate roles and agendas as agencies. She said that she thought they needed to be very distinct letters. She said that the SCC ultimately approved or denied things, so they should recognize the specific roles of each entity.

Mr. Diggs asked Mr. Ashton if his letter to Dominion included information specific to burying the powerlines.

Dr. Yeung said that she would like for the lines to be buried.

Mr. Ashton said that he believed the Board could more forcefully express that point to Dominion when they met with the Board in person and they could follow up at that point.

Mr. English said that it was also included in the language of the Resolution.

Mr. Diggs said that it was stated in the Resolution, but he thought it would be most appropriate to reiterate that point as much as possible.

Ms. Gary said that she had a request related to that, and perhaps Ms. Vanuch could speak more to it since she knew a bit more about the nuances with the SCC. She asked if they could make the request to the SCC regarding burying the lines.

Ms. Vanuch said that that was correct; the SCC could approve or disapprove whether the lines could be above-ground or not.

Ms. Gary said that she understood. She asked if the request to the SCC would simply be worded differently because they were a different entity.

Ms. Vanuch said exactly.

Mr. English said that he knew the School Division would be having a meeting with Dominion soon because they had a lot of issues with this matter, as well. He said that he did not understand why Dominion had changed the name from Kraken Loop to North Anna Kraken. He said that he wanted to thank Ms. Vanuch for getting the letter together. He asked if they needed to send a letter to the SCC.

Mr. Ashton said that yes, he would draft that letter to the SCC.

Ms. Vanuch said that to clarify, she and Mr. English were still going to send their titled letters on behalf of their districts since they were directly affected. She said that she would encourage Dr. Yeung to send a letter as well.

Dr. Yeung said that Ms. Vanuch had asked if the other Supervisors wanted to sign onto her letter, and she understood much of the powerline was planned to go through Garrisonville, which was why she had already met with Dominion representatives. She said that she would be glad to draft her own letter but would also like to be included on Ms. Vanuch's and Mr. English's letter.

Ms. Vanuch said that she would be glad to include Dr. Yeung in the letter. She said that if any other Supervisors wanted to sign onto it, that was fine as well. She said that the letter did speak specifically to the districts that would be impacted, but she was happy to include anyone. She said that she also thought it was helpful they were getting one from the County Administrator, but she had drafted hers before she knew they were doing that.

Ms. Gary asked for clarification regarding the redundancy between Ms. Vanuch's letter and the letter sent on behalf of the County by Mr. Ashton. She asked if signing Ms. Vanuch's letter would be primarily for the Supervisors to state their support of their colleagues' whose districts were affected.

Ms. Vanuch said that she thought it made more sense for the Board to take a vote today on the Resolution to support Mr. Ashton's letter to be sent to the SCC and to Dominion. She said that they had not previously planned to send that letter to the SCC. She said that she thought it also made sense to amend her and Mr. English's letter to include Dr. Yeung to represent the Garrisonville District so that they also heard separately from the three Supervisors whose districts were mainly impacted, further calling for Dominion to meet with their constituents in a more meaningful way.

Mr. English motioned, seconded by Dr. Yeung, to approve Proposed Resolution R25-303 with letters to be sent to both Dominion Energy and the State Corporation Commission.

The Voting Board tally was:

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

Mr. Diggs asked if Dr. Yeung would like to address Item 8.

Dr. Yeung said that she apologized; she had meant to pull Items 1 and 2. She said that if the Board did not want to reverse the vote on the Consent Agenda in order to pull those items, she could discuss them in her Board comments. She said that it was a lot of money they were talking about here.

Ms. Allen motioned, seconded by Mr. English, to approve Item 8 as presented.

The Voting Board tally was:

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

Mr. Diggs asked if Mr. English would like to discuss Item 13.

Mr. English asked if this item was for $350,000 to clean port-o-johns.

Chris Edwards, Chief Operating Officer, said that this applied to all facilities, but it specifically pertained to having someone visit and pump out septic systems for facilities that were connected to County water, sewer, or drain fields. He said that it was for about 15 to 20 facilities.

Mr. English said that the price was ridiculous. He said that people who did not live in the County who used their facilities needed to pay. He said that he appreciated Mr. Edwards providing more information on this item.

Ms. Allen motioned, seconded by Ms. Gary, to approve Proposed Resolution R25-264.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, Gary, Vanuch, Yeung
No: (1) English

Dr. Yeung motioned, seconded by Ms. Gary, to reconsider the vote on the Consent Agenda.

The Voting Board tally was:

Yea: (5) Bohmke, Diggs, Gary, Vanuch, Yeung
No: (2) Allen, English

Ms. Vanuch motioned, seconded by Dr. Yeung, to approve the Consent Agenda except for Items 1, 5, 7, 8, 13, and 15.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, Gary, Vanuch, Yeung
No: (1) English

Mr. Diggs asked if Dr. Yeung would like to discuss Item 1.

Dr. Yeung said that she thanked her colleagues for letting her discuss this item. She said that her first question was regarding the by-laws. She said that the item included a step to suspend the by-laws, but she was unsure if they had actually done so since this was approved directly by consent. She said that her comment on this matter was that she noticed this was the second time they had suspended the by-laws in this manner, and she was wondering if there was an issue with bringing these items to the Board in a timely manner. She asked why they were being repeatedly asked to suspend the by-laws on the Consent Agenda.

Rysheda McClendon, County Attorney, said that when this issue was discussed at the last meeting, she had explained that including suspension of the by-laws in the Resolution suspended the by-laws in order for the Board to take action as long as it passed by a two-thirds vote. She said that she would defer to the County Administrator and Capital Projects staff to discuss the question about timing.

Matthew Lehane, Transportation Planning and Funding Manager, said that this item was delayed. He said that it was supposed to come before the Board when Garrisonville Road came up back in October. He said that they experienced delays with the contract and getting the task order out, which was why it was now before the Board in December.

Dr. Yeung asked if the County would have to make up the difference if this project did not receive funding in Smart Scale round seven.

Mr. Lehane said that it would be a discussion for the Board at that time, a little less than two years from now, to discuss how to proceed from there. He said that the goal would be that they would have 30% design completed and could continue to move forward if it was determined to be a priority project, or they could pause or cancel the project.

Dr. Yeung asked how much would be spent on the design before they knew for certain that they would complete this project. She said that when Garrisonville Road came up, they had $15 million saved, then went through several Smart Scale rounds, and that project did not make it. She said that they ended up disbursing that money to other projects. She said that Garrisonville Road was still the same and they were still paying on that road. She said that when they talked about Warrenton Road, they had discussed putting $0.01 on the service district. She said that she was trying to understand how they planned to pay for this project.

Mr. Lehane said that the project was currently funded through the Transportation Fund, with $500,000 approved by the Board in April, as part of the Capital Improvement Plan (CIP). He said that the reason they were requesting additional funding today was that the task orders had exceeded the estimated cost.

Dr. Yeung asked how much funding was being requested today.

Mr. Lehane said that he believed it was about $100,000 to $120,000. He said that one item was $589,000, and the other item was $520,000.

Dr. Yeung said that this was one of the reasons she believed she would be rethinking the need for a regional transportation authority. She said that they were spending a lot of money without knowing for certain if they could finish the projects because they were expecting the money from Smart Scale.

Dr. Yeung motioned, seconded by Ms. Bohmke, to approve Proposed Resolution R25-256.

Ms. Bohmke asked how much of this project related to the new high school.

Mr. Lehane said that this project was more of a long-range project within their Transportation Master Plan to handle additional capacity on Warrenton Road and was not related to the high school. He said that however, it would help with the high school traffic.

Ms. Bohmke asked if additional funding would be coming from Surface Transportation Block Grant (STBG) and Congestion Mitigation and Air Quality (CMAQ) programs.

Mr. Lehane said that as of right now, there was no CMAQ or STBG on the project, but they were applying through the Fredericksburg Area Metropolitan Planning Organization (FAMPO) for future money and would apply it towards the Smart Scale application to leverage the money.

Ms. Bohmke said that she would not be on the Board at that point, but it would be a consideration for the Board members who would serve on FAMPO.

Dr. Yeung said that they had previously discussed the service district, and she was wondering if they should have a discussion about expanding the service district in this area to include this road and pay the penny or two to bring in more revenue for the district and the County.

Mr. Ashton said that he would like to follow up on a previous point that had not been addressed. He said that to clarify, the reason they were applying more money to 30% design before they had the funding in place was because it would raise the likelihood of securing that funding. He said that it demonstrated the need to VDOT that they had a stronger need, and it was becoming more and more necessary to include that in project submissions.

Dr. Yeung said that she had mentioned Garrisonville Road because they had much more money to leverage and still did not receive Smart Scale funding for that project.

Mr. Diggs called the vote on the motion to approve Proposed Resolution R25-256.

The Voting Board tally was:

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

Mr. Diggs asked if Ms. Bohmke would like to discuss Item 15.

Ms. Bohmke said that she had conversation with Major Dembowski and Sheriff Decatur earlier this afternoon about this, and she only had one question related to the write-up for this item. She said that it was clear that they needed a new computer-aided dispatch (CAD) system, and she wholeheartedly supported that. She said that there was an additional $674,000 being added to the project, and she had sought clarification on how that funding would be allocated. She said that as it turned out, $374,000 would be used for the consulting firm managing the project, and the remaining amount would be reserved for contingency. She said that she was satisfied after her conversation with staff, but she appreciated the Sheriff being present at tonight's meeting and would be glad to hear any additional information he had to add.

Sheriff Decatur said that Ms. Bohmke's statement was accurate. He said that the $374,000 for project management and implementation expenses was a significant undertaking, requiring a year to complete. He said that this project involved a substantial amount of data integration, technological improvements, and multiple systems, making it crucial to have a project manager on board to guide them. He said that the additional $300,000 was allocated for interface costs with some flexibility to enable seamless integration between their radio systems, the Fire Department's systems, and the law enforcement systems. He said that this integration was vital, as the bridge connecting these systems would greatly enhance their ability to provide effective service to the community, both in Fire and Rescue operations and law enforcement.

Dr. Yeung said that typically, when they had consultants, they had to ask them to come back for each individual project and there was always a cost associated with that. She asked if they had considered ensuring they had a person on staff who could handle this type of data integration work into the future.

Sheriff Decatur said that yes, they had considered that. He said that in the past, they had successfully completed projects and gained valuable experience, and they had a team with strong technical skills, including a dedicated IT Department that provided ongoing support. He said that they had individuals who had been working on this project since they received the proposal and had been working with the company.

Ms. Bohmke motioned, seconded by Ms. Allen, to approve Proposed Resolution R25-298.

The Voting Board tally was:

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

PRESENTATIONS

There were none.

PRESENTATIONS BY THE PUBLIC

Mr. Diggs read the rules for public comment.

1. Karen Mathes, Hartwood District, said that she recently had some conversations with Mr. English that had been quite entertaining. She said that she was here to express her concern regarding the proposed Kraken Loop with the extra high voltage 500 kV lines running through the residential corridor of Stafford County. She said that in 1965 and 1967, Dominion filed an easement with the County, which served a much smaller population of less than 20,000. She said that now, with over 170,000 residents, times had changed, land had changed, and communities had developed.

   Ms. Mathes said that it was not practical to run these high-voltage lines directly through residential neighborhoods. She said that typically, these "interstate" lines were routed around or along the edges of communities to ensure safety and minimize community impact. She said that community impact included a wide corridor of land, wider than the combined south and northbound routes on I-95, running through residential areas. She asked the Board to consider what that would be like to have that running through a neighborhood. She said that clearance would include structures such as houses, pools, and garages currently in the easement, and clearance of vegetation.

   Ms. Mathes said that she personally had critical resource-preserved land on her property, which meant she was not allowed to cut down trees and minimize human impact on the land. She said that this land included a natural freshwater stream and pond, part of the Chesapeake Basin watershed. She said that Dominion cleared vegetation using chemicals, which can infiltrate the freshwater system. She said that in the critical preserved land area, there were numerous endangered and protected species, including several species of bats and bald eagles.

   Ms. Mathes said that other community impacts included negatively affecting property values throughout the entire County; it did not discriminate based on where one lived in the County. She said that the constant noise, humming, and hissing from these lines could be disturbing. She said that as someone with a medical background, she could tell them that the cracking sound from the wires was the ionization of air molecules exploding. She said that the safety concerns of these electrical lines were referred to as electrical arcing, where electricity could jump up to seven feet from the line, posing a risk to community safety.

   Ms. Mathes said that these easements were exclusion zones, not for the benefit of the communities. She said that they should be responsible for the residents of Stafford County and consider the risk versus benefit. She said that there were many risks and no benefits, as Stafford County residents did not receive electricity from this line; they were connected to data centers.

2. Ken White, Hartwood District, said that he lived on Lake Breeze Way, located off Hulls Chapel Road. He said that he was here tonight to discuss the cumulative traffic impacts of the Rogers Glenn and Staffordshire developments on Hulls Chapel Road. He said that Hulls Chapel was a narrow, secondary road with no street lights, sidewalks, or curbing, and barely

enough width to accommodate two standard-sized vehicles. He said that school buses, trash trucks, and delivery vehicles, including the many from Amazon, forced other drivers into the shoulder, mailboxes, and drainage areas, posing a significant safety hazard.

Mr. White said that the Rogers Glenn development would generate 321 new daily trips, including 25 vehicles during the morning peak hour and 34 in the evening, all entering and exiting directly onto Hulls Chapel at the single access point previously located at 159 Hulls Chapel Road. He said that there was no alternative outlet to this road as currently constructed. He said that Staffordshire, with 336 homes, would produce over 3,000 daily trips. He said that even if only a small percentage of these trips used Hulls Chapel, the combined effect could add 50 or more vehicles during peak hour on a road not designed to handle them.

Mr. White said that the area was currently accessible via a gravel road extension at 221 Hulls Chapel, which was not maintained by VDOT. He said that before these projects proceeded, he strongly advocated for a comprehensive cumulative traffic impact study that evaluates both developments together. He said that this study should include required roadway improvements, such as shoulder widening, lighting, and mailbox relocation, completed before certificates of occupancy were issued. He said that he urged the Board to commit a portion of the $3 million Staffordshire transportation proffer to Hulls Chapel Road improvements. He said that these measures were essential to ensure the safety of current residents, new families, school bus riders, and service vehicle operators.

3. Edward Downs, Hartwood District, said that he resided on Donovan Lane and wished to express his gratitude to the Board of Supervisors for their unanimous support in opposing the proposed Kraken Loop project alignments and requesting further engagement with Dominion Energy. He said that he appreciated the communications the Board was providing to the Hartwood and Rock Hill Districts regarding Dominion Energy. He said that as a resident of Poplar Estates, segment six of the proposed project would require Dominion Energy to clear-cut through nearly 37 homes, directly impacting over one-third of their neighborhood and indirectly impacting all 133 homes.

   Mr. Downs said that he understood the need for regional energy infrastructure, but he was concerned that this project would have negative impacts on the health, welfare, and prosperity of their neighborhood. He said that the constituents of the County would bear the individual expense to support energy demands driven by data centers in northern Virginia, outside the direct benefit of this County. He said that Dominion Energy had not been forthright in their community engagement, providing insufficient notice and failing to address community concerns.

   Mr. Downs said that residents had received a postcard mailer only weeks or days before a virtual online session held nearly a month ago, and the open house held only two days later was not sufficient to capture community concerns or impacts. He said that he believed their voices mattered, and he implored Dominion Energy to communicate with the Board, the County, and directly impacted communities in person, not virtually. He said that they needed productive communication, not performative voice communication.

Mr. Downs said that he implored Dominion Energy to work with the County, gather community input, refine potential routes, ensure transparency, and participate in the project process to avoid or minimize potential impacts that affected the preservation of their community and the health and welfare of its residents. He said that all of these aspects were directly expressed by Dominion Energy in their online published materials, project communications, and mission statement on the project. He said that additionally, he was aware that the Board had reached out to them, but they had declined the invitation to attend their annual meeting on December 11. Instead, they wished to hold another virtual performative session, repeating the same process that occurred a month ago. He said that he implored Dominion Energy to please work with the Board and County residents to address this project.

4. Eliana York, Hartwood District, said that she lived in Poplar States. She said that she was here last month to express her concerns about the Kraken Loop. She said that last month, she mentioned that the International Agency for Research on Cancer (IARC), which was an arm of the World Health Organization (WHO), classified extremely low-frequency (ELF) magnetic fields, generated by 500-kV lines, as group 2B, or possibly carcinogenic to humans.

   Ms. York said that as they would read from her handout, there were numerous other studies available online that highlighted many other issues. She said that there were numerous problems, including cognitive decline, behavioral issues, blood disorders, and more. She said that this was a pressing moral and political issue for Stafford County Supervisors, as the potential for added carcinogenic risk was a reality that cannot be ignored. She said that there was a credible threat of harm to human health and to residents, particularly children, the elderly, and those with pre-existing conditions.

   Ms. York said that she had previously mentioned that her family was a multi-generational family, and her elderly father, who was a cancer survivor, lived with her. She said that she knew that Dominion Power would argue that there was a lack of full scientific consensus in support of the project, but the lack of consensus should not be a reason for inaction; rather, it should underscore how serious this issue was. She said that there was harm tied to this project coming to Stafford. She said that as a concerned resident, she urged the Board to take all necessary steps to minimize carcinogenic risks.

   Ms. York said that she requested that the Board formally use its influence or authority to require that Dominion upgrade its environmental review from a simple environmental assessment to a full comprehensive environmental impact statement. She asked the Supervisors to advocate for rerouting and possibly relocating the lines away from residential areas as necessary to mitigate. She said that finally, she asked the Board to consider providing formal political or legal support to their neighborhood group to intervene in the state regulatory process.

5. Jeff Eastland, Rock Hill District, said that it had been a long year for Stafford, one that had been particularly traumatizing for Stafford residents, but that was an understatement. He said that they were facing a full-scale assault from special interest corporations seeking to exploit the County's resources. He said that they had received numerous data center applications,

which after a year of study, research, and science-based fact, had revealed the hazards they posed.

Mr. Eastland said that they now had the aforementioned Kraken line transmission proposal, the extension cord for the data centers, was like a panzer division bulldozing its way across the County. He said that constituents sincerely appreciated the Board's advocacy. He said that they also had a proposal for a huge theme park gas station at one of the County's biggest intersections. He said that these and other proposals had left his friends, neighbors, colleagues, and fellow residents in a state of unprecedented stress.

Mr. Eastland said that they were upset, angry, concerned, and worried about their lives, property values, wells, electric bills, livelihoods, children's futures, and the relentless clear-cutting and construction, which included endless gravel trucks on the secondary roads. He said that they were worried about pollution's impact on their physical and mental health. He said that he was worried about every one of them. He said that some nights, he would wake up at 3:00 a.m. and think about it, and he would not sleep any more that night. He said that residents needed all of the Supervisors to stand with them.

Mr. Eastland said that he knew that their hearts were in the right place, and he had no doubt that they wanted the best for this place. He said that they needed the Board to work together to figure out a way to procure the revenue needed to float this ship without sinking it; without decimating and leveling this place they loved and called home. He said that he fully acknowledged it was not easy and it would never be easy. He said that anything worthwhile was worth fighting for, but it was hard work, inconvenient, and uncomfortable.

Mr. Eastland said that they all needed to pull from the same end of the rope, and he knew they could do it. He said that collectively, they had no choice. He said that he was asking for the Board's help, and he knew they had no idea what heroes they would be when they did so.

6. Leonard Craig, said that he was a resident of the Grafton Village area. He said that he would like to discuss the possibility of tax relief for senior citizens. He said that he understood that the Board had a job to do, but as a 70-year-old himself, he was paying $1,500 every six months in taxes because he purchased a new car. He said that his father, who owned an old Chevy, often expressed frustration about not being able to afford a new car due to the high taxes.

   Mr. Craig said that his father continued to drive his old car until his passing. He said that the tax burden was comparable to a car loan, making it difficult for him to afford a new vehicle. He said that he was asking that the Board consider the benefits of tax relief for seniors like himself and those with elderly parents. He said that while they had given consideration to Buc-ee's and the data centers, he believed that this issue affected many citizens in his age group and should be thoroughly considered.

7. Jonathan York, Hartwood District, said that he would like to discuss the Kraken Loop. He said that the easement itself was not located on his property, it was approximately 1,000 feet away. He said that upon further investigation, he had found several concerns. He said that the original easement appeared to have been established through eminent domain, yet it had been

over 60 years since its creation, and no construction had taken place on the easement. He said that furthermore, he did have protected wetlands nearby, which would be affected by the pesticides released from the easement.

Mr. York said that although research on the effects of power lines on human health was currently inconclusive, a 2024 study published in the Environmental Effects of High-Voltage Tower on the Cerebellum and Cognitive Impairments in Monkeys found a link between high-voltage towers and cognitive impairments, including reduced learning and memory retention, bone marrow density, heart function, and changes in the brain. He said that the electromagnetic fields had been deemed carcinogenic. He said that as a parent with developing children living 1,000 feet from the proposed power line, this was a significant concern for him.

Mr. York said that he also worried about the noise pollution and cracking issues mentioned earlier, which could impact his neighborhood's residents. He said that he respectfully requested that the County and Board of Supervisors investigate the legality of the easement, as well as the environmental and health concerns, including Chesapeake water protections and biofiltration ponds that were currently in Poplar Estates but did not exist back in the 1960s when the original easement was put in place. He said that he suggested examining recommended modifications, such as rerouting or burying the lines, to mitigate these issues.

8. Kristin Maxson, said that in Proclamation P25-31, as mislabeled on pages 25 and 26 of their agenda today, a supervisor stated during their three-year term that they had five separate Stafford County Administrators. She asked how this affected the Board. She said that when staff and Board members were absent, the reason for the absence was to be announced during the roll call in honesty, as witnessed by the Board and disclose any conflict. She said that today, there were three or more suspended by-laws for reasons not fully known.

   Ms. Maxson said that next, she would like to address the Supplemental Nutrition Assistance Program (SNAP), which was frozen due to the federal government shutdown that began on October 1, 2025 and lasted until November 12, 2025. She said that this action was not fully disclosed and with other intent was planned, induced as an emergency period, affecting 13,000 Stafford residents. She said that she would like to know why. She said that according to page 57, 87, and 210 of today's agenda.

   Ms. Maxson said that on November 25, 2025, there was a one-time event for the Wetland Board and coastal primary sand dunes at 6:00 p.m., with no mention on the Stafford County calendar or agenda posted. She said that the public was in question for this. She said that the Chief Financial Officer stated that unfunded state mandates for tax exemptions continue to increase by approximately $40,000 a month, as noted on page 84 of their agenda today. She said that the use of money and property with 33 variants due to interest, which should not exceed 10%. She said that there was an unassigned fund balance of $57 million, or 13% of the total fund, as stated on page 85 of their agenda today.

   Ms. Maxson said that today's agenda changed at the last minute, adding five pages. Sh said that the comprehensive plan, was stated as a guide and not a requirement, on page 173 of 253. She said that the Economic Development Authority (EDA) builds upon data as stated, on page 197. She asked how these trends were taken into account. She said that no one was content with the current reality. She said that according to page 192 of their agenda today, a plaza was declared as a $500,000 loss.

9. Charlie Payne said that he would like to provide the Clerk with copies of the letters he had sent to the County on July 2, along with exhibits that they had submitted in response to the County's request in their May meeting. He said that these letters related to the Patawomeck Indian Tribe, which he represented. He said that as a result of that meeting, the County had requested documentation regarding the tribe's support for recognition by the Commonwealth of Virginia, which had occurred in 2010. He said that he regretted missing the last meeting, as he was not aware that item would be the agenda. He said that the tribal members would have also been present, but he had a scheduling conflict.

   Mr. Payne said that he believed the letters had been sent to staff in July, in response to the County's request. He said that they had not received a response or any further guidance. He said that he greatly respected this Board, but he wanted to clarify that they could not ask the Tribe to legitimize their recognition, because that was done by the General Assembly and the Commonwealth of Virginia, which occurred. He said that he appreciated the Board's request for additional information, and he would be glad to provide more education and background on the process.

   Mr. Payne said that the reality was that the Tribe had been recognized by the Commonwealth of Virginia through documentation, oral testimony and extensive exhibits, starting in 1996. He said that the Board of Supervisors at that time supported that recognition at the time, including the Stafford Historical Society, Colonial Williamsburg, and many experts from William & Mary. He said that his letter included all of that information along with exhibits from the very extensive process. He said that the Tribe had been recognized in Virginia for close to 100 years.

   Mr. Payne said that he and the Tribe would be happy to work with the Board to address any amendment to the lease that they desired to move forward with. He said that he had great respect for this Board and their partnership with the Tribe. He said that this was a long-term relationship, and citizens in this Tribe were loyal, local Stafford citizens who worked forward to working with the County in the future.

10. Jenny Smith, Hartwood District, said that she was here to speak out of concern about the Kraken Loop project. She said that she lived on Poplar Grove Farm, a property that had been in her family for over 200 years. She said that the easement for the Kraken Loop had been seized from her great-grandmother and great-uncle in 1969 by eminent domain. She said that they, along with other citizens of this County, had attempted to fight that seizure of property, but were unsuccessful.

    Ms. Smith said that as a result, she and her children were paying the price for that failure. She said that the Kraken Loop would pass over their family pond, where cattle had grazed for 200 years. She said that it would also pass over what they called the devil's backbone, a location where her great-great-great-grandfather had attempted to bury their family's treasure after the Civil War. She said that after the Civil War, he had died of a heart attack during a period of bankruptcy, and the treasure was never found. She said that this family story had been affected by the Kraken Loop.

Ms. Smith said that a spring on their property, which fed her children, would be impacted by the Kraken Loop. She said that as Dominion attempted to maintain the property, they would spray chemicals that would leach into that spring, and her children would drink that water. She said that she was deeply grateful for the efforts of this Board in helping them fight against the Kraken Loop. She said that she could not tell them how thankful she was, because it was not something that she alone could accomplish. She said that she was grateful for their efforts and thanked them sincerely for helping their citizens.

11. Elena Prokos, Rock Hill District, said that she also wanted to thank the Board for communicating with Dominion and other relevant agencies and letting them know that Stafford was not in favor of the huge, above-ground transmission lines near residents, especially children, families, and farms. She said that Dominion claimed that the noise from the lines would be marginal, but she asked the Dominion representative if he had been to Government Island or the playground of Widewater Elementary, where it sounded like the 4th of July.

    Ms. Prokos said that the representative claimed that the sound would be less than at those locations due to improvements, but she did not think they should believe that and only know for sure after they were built. She said that her own experience was that her mother had passed away due to leukemia, and on her death certificate, it was noted that it was environmentally induced, with a transmission line and substation nearby. She said that although they could not establish a direct cause-and-effect relationship, it was natural to worry about the potential health impacts on humans.

    Ms. Prokos said that she was deeply saddened to hear about a parent whose family lived close to the proposed lines, particularly for a family with a special needs child. He said that those concerns about the health effects resulting from these lines were valid, and she appreciated the efforts of the Board to address this issue through a resolution. She said that she thanked the Board for helping the public manage this.

12. Tammy Burkhart said that she moved to Stafford in September 1997. She said that she stood before the Board 18 years ago to express concerns about the tower, and she still had the pamphlets they passed out with photos of Rodney Thompson Middle School pictured on them. She said that she had worked with Buddy Secor to get those powerlines buried, and no one thought they had a chance, but they did. She said that they had a community here that would help in any way they could. She said that they would establish committees and take action to ensure this project moves forward across Mountain View and Margaret Brent.

    Ms. Burkart said that the Board had already heard about the impact this would have on the County, and it would also impact her property. She said that she did not know about the community meeting with Dominion and half of her neighborhood was not notified. She said that she understood that Stafford had undergone significant growth since the last powerline upgrades were made. She said that when she first moved here in 1997, the population was approximately 40,000 and earlier heard that the population has surpassed 170,000. She said that she concerned about their infrastructure's ability to accommodate data centers alongside their communities.

Ms. Burkhart said that she had missed the Board passing the resolution, but her neighbor explained that the Board was committed to helping. She said that she appreciated any assistance they could offer for the health, education, and well-being of their students, kids, and neighborhoods. She said that she believed that everything would be impacted by this project, and she would appreciate any help.

13. Rick MacGregor, Aquia District, said that the General Assembly had granted state recognition to a fake tribe, as stated in Resolution 150. He said that this resolution, in a legal context, acknowledged that longstanding oral history, family records, church records, and other documents maintained the claim that several families native to the Patawamic ancestral area traced their lineage to the tribe. He said that Dr. W. L. Deyo's 30-year documentation of the Patawomeck Tribe survivors and their ancestry in Stafford County was also cited.

    Mr. MacGregor said that the resolution, however, was given under the assumption that these records existed, but they had not been produced. He said that in fact, they were not included in the packet provided by Mr. Payne. He said that the Tribe had had six months to provide these records. He said that he would like to know if Bryce Reeves, who had written a letter of support, had them. He said that he would also like to inquire if Eugene Vindman or Rob Wittman had them, as they were currently sponsoring a bill in Congress to grant Native American status to this group of white people.

    Mr. MacGregor said that Resolution 150 was enabling this, and the General Assembly needed to address the issue. He said that it was not the right thing to do to grant recognition to a group that was not deserving of it. He said that in 2010, the Stafford Board had sent a letter of support to the General Assembly, and he urged this Board to send a letter of concern about this group.

14. Jerrilyn Eby MacGregor, Rock Hill District, Chairman Diggs, said that she would like to express her gratitude for the extremely difficult decision you made two weeks ago. She said that holding their ground was challenging, and she deeply appreciated their fortitude. She said that she believed the issue was now settled. She said that the Patawomeck people had proven that they did not have any Indian records, and they were white individuals. She said that their state recognition was granted under false pretenses and should, therefore, be null and void.

    Ms. MacGregor said that state recognition was a crucial step towards federal recognition. She said that since 2023, the Patawomeck Indian Tribe had had a bill pending in Congress. She said that two weeks ago, Mr. Bullock informed them that the group would eventually be a sovereign, federally recognized tribe. She said that she thought they should take his statement seriously. She said that in the past, some reputable genealogical websites had added disclaimers to the Patawomeck family information due to its undocumented nature. She said that recently, Wikipedia had added a paragraph noting concerns about the group's questionable legitimacy.

Ms. MacGregor said that the tribe had now lost a lease, which was a significant development. She said that in the coming weeks, she would like to share with them some of the many problems with the federal bill. She said that the 2023 iteration had contained 20 findings that purported to be the tribe's history, but 15 of these findings were gross errors, including misquoting of historical documents. She said that the current version included the same error-ridden text, but it had added a 21st finding, stating that the Patawomeck people resided in Spotsylvania County.

Ms. MacGregor said that she wondered where this information came from. She said that for years, they had claimed to have lived in the White Oak area since before 1608. She said that she prayed that Stafford did not end up with a federally recognized group of individuals falsely claiming to be Native American. She said that the surest way to end this was for the General Assembly to revoke the group's state recognition and for Representatives Vindman and Whitman to withdraw their support for federal recognition. She said that she respectfully asked that the Board take this on as a project.

15. Alyson Azzara, George Washington District. She said that she agreed with Mr. Payne. She said that she felt that they need to balance their comments about the Patawomeck Tribe with genuine support for them and a commitment to standing up for their rights. She said that the United States has a poor reputation when it comes to recognizing the rights of indigenous peoples, and attempting to retract hard-won recognition from an indigenous group was, in her opinion, shameful. She said that when examining the history of the treatment of indigenous peoples in this country, it became clear that there was a significant period of time that overlapped perfectly with this era of missing information.

    Dr. Azzara said that this period was often referred to as the "missing generation," during which native children were forcibly removed from their families and their native language and culture were intentionally removed from them. She said that she had worked extensively with indigenous tribes in Alaska, and she was aware of the challenges they faced in this regard. She said that these tribes were simply trying to fight for the recognition and respect they were owed by the United States and its people. She said that attempting to take that recognition away from them was, frankly, shameful. She said that she hoped that this Board would not move in that direction and instead would continue to support the Tribe.

16. Karen Fox, Hartwood District, said that as she reflected on the recent developments in Stafford, she had been thinking about the importance of being good stewards of their County. She said that every holiday season, her family foraged for materials to create wreaths. She said that everything she included in her wreath this year came from Stafford County, from the woods to the fields. She said that this was the purest and most sincere way of showing everything they loved about Stafford.

    Ms. Fox said that the fact was that they were not being good stewards. She said that they needed to take a step back and assess the consequences of their actions. She said that while they wanted to provide tax relief to elderly residents and create opportunities for growth, they must consider the cost. She said that they could not continue to destroy their County. She said that she had seen firsthand the devastating impact of construction on their environment, and had recently spoken to a Supervisor about a wetland that had completely dried up due to construction.

Ms. Fox said that this was an example of the law of unintended consequences. She said that if they continued to clear-cut and allow destruction to occur, they would lose the very character that made Stafford special. She said that the Board members were the stewards of this land, so she urged them to make decisions that prioritized the well-being of their County. She said that she appreciated the hard work and difficult choices they faced, but she implored them to consider the long-term consequences of their actions. She said these decisions could not result in the long-term loss of the County. She said that she would like to present this wreath to them, and she hoped it served as a reminder of the importance of preserving Stafford's character.

REPORTS BY BOARD MEMBERS

Ms. Allen – stated that she would like to follow up on a comment made about tax relief. She said that at their last Board meeting, she had brought it up for the Board to consider expanding the relief and exploring the fiscal impact. She said that in the new year, they should be able to share information about assessing the feasibility and budgetary implications. She said that regarding their upcoming meeting at the state park on December 4, she said that they would begin the process of transferring the property to Widewater Beach.

Ms. Allen said that while she could not engage directly with the citizens who made public comments, she wanted to express her appreciation for the time and effort taken by many of them to attend and share their thoughts. She said that it was difficult for the Board to sit at this dais and make decisions, and she knew that it was equally as hard for people to speak up and be vulnerable. She said that people had asked her for her opinion on some of these issues and she could not provide a response because there could be legal consequences, especially when things were somewhat nebulous. She said that she wanted to assure the public that the lack of response did not mean she did not care.

Ms. Allen said that she personally understood the issues brought up about the powerlines and transformers, her uncle's backyard in Spotsylvania had two large transformers that could be heard crackling. She said that she believed it was essential that they work with Dominion to find a solution, but they would have to wait and see how it played out. She said that as a Board, they would strive to do everything possible to get the lines buried or to work with residents to minimize the impact.

Ms. Allen said that since data centers first came up as an issue, she had seen the impacts firsthand. She said that she had family in Austin, Texas, where the data center boom was focused currently. She said that when she was there in July, she could not drive five minutes without seeing data center construction. She said that there were also news articles discussing the symbiotic relationship between the five major companies involved, as they all signed deals with each other and the amount of data centers they were building was astronomical.

Ms. Allen said that a lot of the burden was on the local level to make those decisions, and from a federal and state perspective, she thought they were not doing enough to support them in making these decisions. She said that they were not providing them with the necessary tools or willing to give them the tools to find common ground safely. She said that they were forcing them to make decisions while dealing with their own federal push. She said that the President had stated his intention to make artificial intelligence (AI) a key component of his administration, and the state had already made deals to determine the location of centers.

Ms. Allen said that going forward, as they received more information, she believed they needed to find a middle ground that they could agree on. She said that she thought it was essential that their federal and state representatives advocate for them, ensuring that jurisdictions were not forced to make decisions that should be made at the top level.

RECESS

The Board recessed at 6:25 p.m. and resumed at 6:32 p.m.

JOINT BOARD OF SUPERVISORS AND PLANNING COMMISSION PUBLIC HEARING

ITEM 17. PLANNING AND ZONING; CONSIDER AN ORDINANCE TO REORDAIN ORDINANCE O25-29, "AN ORDINANCE TO AMEND AND TO REORDAIN STAFFORD COUNTY CODE SEC. 28-39 "SPECIAL REGULATIONS" REGARDING DATA CENTERS" TO PERMIT GRANDFATHERING FOR CERTAIN PREVIOUSLY APPROVED DATA CENTER PROJECTS; PROPOSED ORDINANCE O25-29(R)

Steven Apicella, Chair of the Planning Commission, called the Planning Commission meeting to order.

Kelsey Caudill, Planning Commissioner and Secretary of the Planning Commission called the roll. All members were present and a quorum was established.

Mike Zuraf, Director of Planning and Zoning, said that he would provide a brief summary of the item. He said that Proposed Ordinance O25-29(R) would reordain Ordinance O25-29 to permit grandfathering for data center projects that received reclassification or conditional use permit (CUP) approval from the Board of Supervisors or site plan approval on or before October 21, 2025. He said that it was previously understood that the new development guidelines for data centers, which were approved on October 21, would not apply to projects that had already received approval, including existing applications under review and future applications related to those projects.

Mr. Zuraf said that however, this was not clearly stated in the approved ordinance. He said that to clarify this issue, on November 6, the Board authorized a joint public hearing with the Planning Commission. He said that the revised ordinance includes a clause that permits grandfathering for data center projects receiving reclassification or conditional use permit approval from the Board or site plan approval on or before October 21, 2025. He said that grandfathered projects would be allowed to continue with the related existing and future applications and development plans under the Data Center Zoning Ordinance regulations that were in place when the project was approved.

Mr. Zuraf said that the grandfathering provisions would apply to five data center projects, including Stafford Technology Campus, Potomac Church Tech Center, Centreport Gateway, also known as Pemberton, Vantage, also known as Melrod, and Cranes Corner Data Center. He said that the proposed ordinance did not alter any of the development regulations. He said that staff recommended approval of proposed Ordinance O25-29R.

Kristen Barnes, Planning Commissioner, said that she had one simple question that she had heard from constituents. She asked if there was a specific reason why they were listing a date on this Ordinance rather than the five specific projects. She said that instead of simply stating October 21, they could list the five projects that were grandfathered in. She said that she believed that there was a valid reason for mentioning it, and she thought it would be worth bringing it up.

Rysheda McClendon, County Attorney, said that ultimately, it was not legally appropriate to list the specific projects. She said that they had based their decision on a set of criteria that they believed was objective. She said that the criteria of the previous ordinance adopted on October 21 served as an objective time frame that they could reference.

Ms. Caudill asked if a grandfathered project were to later seek a proper amendment or site plan change, would that trigger compliance with the 2025 Ordinance. She asked how the County would ensure long-term capability as surrounding development built out under newer standards.

Mr. Zuraf said that applications of that nature would be allowed to move forward and be considered. He said that the site plan amendment would still be subject to the existing development regulations in place prior to the amendment. He said that a proffer amendment, however, would require legislative approval by the Board, thereby providing a level of control over the extent of changes beyond what already existed.

Mr. Apicella said that he would like to clarify a point regarding the proposed revision. He asked what it meant when the proposed revision stated that data center projects approved by October 21, 2025, were allowed to continue with their related existing and future applications and development plans under the current data center regulations in place when the project was approved.

Mr. Zuraf said that there were several projects currently under review with existing site plans in the process. He said that these plans would enable them to continue being reviewed in accordance with the regulations that were in effect prior to October 21, 2025. He said that several sites, such as Cranes Corner, which recently received approval through rezoning, still needed to submit a major site plan. He said that since the major site plan for Cranes Corner had not yet been submitted, the future major site plan would be evaluated based on the previous regulations.

Mr. Apicella said that he was having difficulty understanding the point in the ordinance revision that mentioned related, existing, and future applications and development plans. He said that he would like clarification on what threshold or criteria would be used to determine what was considered related.

Mr. Zuraf said that this would likely need to be evaluated on a case-by-case basis, but it would apply to any project within the same general project area and any adjustments to an existing approved site plan, for example.

Mr. Apicella asked if a future application and development plan could be indirectly related.

Mr. Zuraf said that that would not align with the intent of this provision.

Mr. Apicella asked where in the current language it clarified or made that distinction.

Mr. Zuraf said that it did not necessarily clarify that, but since it was stated as related, it must be related, and if it was not, then they would consider it not related.

Mr. Apicella asked who would decide whether or not something was related.

Mr. Zuraf said that as an application was submitted, staff would consider whether it was related or not.

Mr. Apicella asked what options an applicant would have if they disagreed with staff's determination.

Mr. Zuraf said that the applicant could seek a zoning determination from the Zoning Administrator to obtain an official answer on that matter.

Mr. Apicella asked, if the applicant disagreed with the zoning administrator's determination what would their next step be?

Mr. Zuraf said that they could then appeal the decision to the Board of Zoning Appeals (BZA).

Mr. Apicella said that his reason for asking these questions was that he was concerned that the language used may be unintentionally ambiguous and could potentially establish an expectation that the five affected applicants could modify or expand their projects under the old rules, with the only requirement being that the change or expansion was related to their existing project. He said that he was not convinced the Ordinance was entirely clear on this point. He said that one question that arose was: what if the applicants wanted to increase the size and scope of their project, as long as it was related to their existing project.

Mr. Zuraf said that considering the current cases under this category, there were three that had been approved through rezoning, a zoning action, and those had proffers that established the intensity and limits of the project. He said that as a result, they would still be subject to those limitations. He said that there were two other projects that had been approved by by-right site plans. He said that these projects may be able to be adjusted and expanded in area, but they would still need to adhere to floor area ratio standards and setback requirements that were in place previously.

Mr. Apicella said that he was still stuck on the word "related." He said that he thought it would be more straightforward and easier to understand if they simply stated that for applicants to be covered by the old rules, any future applications and development plans must be directly attributable to their already approved project. He said that while this may not be a perfect solution, he believed it was clearer than using the term "related," which he found ambiguous.

Mr. Apicella said that there was an alternative version available that aligned with this approach. He said that staff had had the opportunity to review it, and he was informed that making this change would not cause any harm. He said that however, he still thought using the term "directly attributable" would be more effective in conveying the intended meaning. He asked for Mr. Zuraf's thoughts on that.

Mr. Zuraf said that that was fine. He said that as he had mentioned, it conveyed the same message, but if the Commission and the Board felt more comfortable using that language, that was perfectly acceptable.

Laura Sellers, Planning Commissioner, asked which two of the five approved projects were by right.

Mr. Zuraf said that they were Centreport Gateway Pemberton and Vantage Melrod.

Ms. Sellers said that she had less concern with the rezonings because they had proffers, and most provided some sort of generalized development plan (GDP). She said that she was more concerned about the two projects that did not have those components, as the County had less control over enforcement and enforcement could be more challenging in these situations. She said that another question she had was: if the Sheriff's Office decided to make changes to the Noise Ordinance, would this revision protect these businesses from any changes the Sheriff's Office may make to the Noise Ordinance?

Mr. Zuraf said that this was specific to Zoning Ordinance regulations.

Ms. Sellers asked if it would have nothing to do with noise.

Mr. Zuraf said that if the changes were made within the separate noise chapter, that would not be included in the grandfathering clause.

Mr. Diggs opened the public hearing.

1. Alyson Azzara, George Washington District, said that she appreciated the thoughtful questions and comments made by the Planning Commission members. She said that her comment was specifically to request that during the deliberations, a public explanation and interpretation be provided for the proposed clause to be added to the revised data center ordinance. She said that upon a plain reading of the current proposed language, it appeared to create some loopholes that allowed developers to continue using the terms of the old ordinance instead of being held to the current standards as approved by the Board of Supervisors in October.

   Dr. Azzara said that the language regarding related, existing, and future applications and development plans to fall under the old ordinance. She said that it was unclear how related existing plans, but presumably not yet approved, were defined and why future applications were included under that clause. She said that in policy, legal, and constitutional discussions, they often referred to the "sense of congress." She said that this referred to determining the intent behind the language when it was written; what the members were trying to say when they wrote it.

Dr. Azzara said that it was used to interpret the legal language written by people who were not there to explain it. She said that since this was written by staff, she hoped that as the original authors, they could offer a public, legal interpretation of the language so that going forward, there was no question about what the sense of the Board was when they were reviewing the data center applications and whether new or old version of the Ordinance should be applied to that case. She said that there was a lot of ambiguity that had been discussed, and as a legal, regulatory document, these ordinances were enforceable and should be clear about their intended application.

Dr. Azzara said that the current language of this regulation left many questions unanswered. She said that for example, issues such as when it applied, how it was applied, and what criteria were used to determine whether an application was included in the current approval. She said that if she were to submit an application, she would want to know whether something that had been approved was still applicable. She asked if someone could withdraw a current application and package it with an already approved one. She asked if that would be considered related enough.

Dr. Azzara said that she was seeking a clear legal interpretation of this clause to ensure that everyone was on the same page. She said that she would appreciate it if the County Attorney or relevant staff could provide a public explanation of the intent of this addition to the Ordinance.

2. Karen Fox, Hartwood District, said that she was commenting on the proposed provision allowing data center projects with reclassification and CUP approval or site plan approval on or before October 21, 2025 to continue under the previous ordinance if diligently pursued. She said that as written, the language was broader than necessary and could grant protections beyond what Virginia law required. She said that under Virginia Code, State Statute §15.2-2307, vested rights only existed when significant affirmative governmental action had been taken and the landlord owner had substantially relied on that act through documented good faith investments or obligations.

   Ms. Fox said that vesting was determined on a case-by-case basis and not automatically. She said that the data center applications listed in the agenda packet met those vesting requirements. She said that based on the approvals already granted, these projects would appropriately qualify to proceed under the previous ordinance consistent with State Statute §15.2-2307. She said that those projects should be allowed to move forward under the standards in place at the time of their approvals. She said that however, the proposed ordinance went further. She said that it would allow future applications and future development plans, including those not yet submitted or those not meeting the legal vesting threshold, to use the pre-October 21 rules.

   Ms. Fox said that this was not required by state law and unnecessarily extended rights to projects that had not earned them. She said that if an application or developmental plan was not vested, it should not be grandfathered. She said that allowing unvested projects to bypass the updated data center ordinance undermined the purpose of the revised regulations and weakened protections for residents, infrastructure, and environmentally sensitive areas. She requested the Board and the Planning Commission to limit the grandfathering clause to only those projects that had already obtained vested rights under State Statute §15.2-2307, such as the listed applications.

Ms. Fox said that she also requested that they remove the language that allowed unvested future applications or development plans to use the older standards, and require all unvested projects to comply fully with the updated data center regulations. She said that this ensured that the County honored true vested rights without expanding them beyond what the state provided.

3. Kristin Maxson, Falmouth District, said that the public-facing documentation left the public confused, as there was very little information available on two projects. She said that if the temperature had been five degrees colder last night, they would have been hit with a significant snowfall. She said that this situation reminded her of a previous day, which was approximately two years ago, around December 28. She said that she was recalling this from memory.

   Ms. Maxson said that it was an emergency meeting, and due to the lack of time, there were no announcements. She said that the focus was on data centers, and the meeting was given priority as an emergency due to the snow. She said that now, they had emergencies triggered by SNAP, and a great deal had changed during that time. She said that on October 21, 2025, a reading from the closed session was delayed at the third hour and 38 seconds.

   Ms. Maxson said that the ordinance that was in effect during the emergency in December two years ago, was grandfathered in, directly relates to this issue. She said that their weather conditions were similar, and they could have been severely impacted if they had received that amount of snow. She said that on October 21, 2025, a resolution was read out of closed session, R25-295, which was delayed until the third hour and 38 seconds, without a call for suspension of bylaws prior to the vote.

   Ms. Maxson said that the resolution authorized the settlement agreement for phase two and phase three of the technology campus development, while suspending bylaws for advertising a joint public meeting planned for today, December 2, for data projects received. She said that the classification or conditional use permit approved before October 21, 2025, included ordinances that were grandfathered in, such as those for Stafford Tech Campus, Potomac Church Tech Center, Cranes Corner, Centreport Gateway Pemberton, and Vantage Virginia 4 Melrod.

   Ms. Maxson said that however, she was unable to find any information on Melrod under Ordinance O25-29. She said that two by-right data centers had been approved, but had not undergone hearings with the Stafford public. She said that according to page 136 of their agenda, these data centers were grandfathered in, and page 138 of their agenda stated that there were 37 buildings with a total 900.5 million square feet with some gray areas specified.

4. Connie Peebles Barrow, Rock Hill District, said that she would like to address a couple of points that seem to be lingering concerns related to this proposal. She said that specifically, she had concerns about the backup diesel generators for the five data centers under discussion. She said that as mentioned in the comprehensive plan, they had encouraged the

use of Tier 4 generators. She said that the five data centers would represent approximately 9.5 million square feet, and based on the data center at Potomac Church, she estimated that the five data centers would require approximately 931 tractor-trailer-sized diesel generators.

Ms. Barrow said that given that Potomac Church was Tier 2, this guaranteed serious amounts of particulate matter being emitted, and Cranes Corner was proffering Tier 4, she had questions about the other three data centers. She said that if they were leaving it open in terms of subjectivity of the previous language, she would ask to what extent these other three projects were going to be able to do Tier 2 generators, and what implications this would have for the County's air quality, soil, and nearby watersheds.

Ms. Barrow said that additionally, she would like to bring up the point about inter-rater reliability at the Planning and Zoning level. She said that she recently visited the office to review the revised comprehensive plan, and she was informed that it had not yet been written with the revisions. She said that she was curious to know how the reviewers at Planning and Zoning were handling the current reviews and how they would address the five data centers, which seemed to be operating under two different sets of rules: one for pre-October 21 and one for post-October 21. She said that this would have generational impacts because they were essentially freezing the Tier 2 in time.

5. Erin Sanzero, Hartwood District, said that she wanted to express her sincere gratitude to all of the Supervisors and Commissioners for the work they had done to bring them to this point regarding the regulations for data centers. She said that her hope was that these comments would continue to be in line with navigating the pressures they faced. She said that tonight, she wanted to express her concern with the grandfathering clause in tonight's amendment. She said that the clause's ambiguous and overreaching wording, in her opinion, was incongruent with the stated objective of this amendment.

   Ms. Sanzero said that the stated purpose of this amendment was to clarify that projects approved under the 2023 data center ordinance may continue under those rules in place when they were approved, and that goal made sense. She said that the current language in tonight's proposed amendment did the opposite, by adding the phrase "related existing and future applications and development plans," it set the stage to expand rather than clarify what was grandfathered.

   Ms. Sanzero said that it led the door wide open for future applications to argue that they were related and should therefore be governed by the old standards. She said that the word "related" was extremely elastic, and a future applicant could argue that anything connected, associated, linked, arising from, or concerning an earlier data center approval was related. She said that it could include serving the same data center customer, using the same access road, or connecting to the same utility infrastructure.

   Ms. Sanzero said that perhaps it was related through ownership or the representing attorney. She said that her point was that "related" could mean almost anything they wanted it to, and she was gravely concerned by its usage here. She said that the purpose of this grandfathering clause, as she understood it, was to articulate a clear limiting principle. She said that therefore, grandfathering should be narrow and predictable, applying only to the specific, discrete applications and activities that the Board had already approved, not an undefined universe of future add-ons that might be claimed as related.

Ms. Sanzero said that in trying to make explicit what was implicitly understood, she worried that this amendment instead invited years of dispute over what they would construe "related" to mean. She said that she respectfully asked the Commission and the Board to remove the word "related" and adopt a clearer, narrower language that protected both applicants and the public from a perfectly avoidable ambiguity if they just got the language right.

6. Kevin French, George Washington District, said that he first wanted to thank the Board for the work they had done in October, as well as the Commission, for strengthening Stafford's Data Center Ordinance and Comprehensive Plan. He said that many of them recognized the time and effort and the public engagement that had led to this decision. He said that he also understood that the Board may be navigating pressures or uncertainties that were not always visible to the public, including concerns that may arise after consultation with legal counsel.

   Mr. French said that he respected that those conversations happened privately and were critical for responsible governance, and the public may not be fully aware of all those details. He said that he assured them, he did not sleep at a Holiday Inn last night, and he was not an attorney. He said that his comments were not legal in nature, and they were certainly not qualified in that domain; they were simply offered as a matter of common sense, fairness, and public perception. He said that the proposed grandfathering language allowed previously approved projects to continue under the old rules, which was understandable because fairness mattered.

   Mr. French said that for a healthy development environment, developers needed certainty and fairness, and that was critical. He said that however, the phrase allowing "related to existing and future applications and development plans" to use the old standards seemed broad enough that an already approved project could come back with significant expansion and still be evaluated under the older, less restrictive ordinance. He said that to be clear, he recognized that rezonings would always still go through a proper review and approved channels, and that was not the issue. He said that the concern was that much larger proposals could be evaluated using a rule book that was not designed for the larger scale.

   Mr. French said that from a community perspective, that felt out of step with what residents believed the October ordinance had accomplished. He said that he also understood and wanted to be fair here that the Board may feel the need to draft language carefully, avoid unnecessary future conflict or the perception of changing rules midstream. He said that if that was part of the motivation, he could appreciate the instinct to protect the county from complications in the future. He said that however, there was a reasonable middle ground that addressed fairness for applicants while also protecting the Ordinance.

   Mr. French said that the middle ground was simple: clarify the grandfathering applied to what was actually approved. He said that the acreage, building sites, scale, siting, anything, and then any material expansion beyond the baseline should follow the ordinances now in place. He said that to the public, that felt fair, it felt transparent, and it helped ensure continued trust that the standards adopted in October had real meaning. He said that he offered this perspective with appreciation for the difficult balance that the Board and the Commission was trying to strike between fairness, caution, and community expectations. Thank you for your time and consideration.

Mr. Diggs said that with no further comments from the public, he would ask the Board members to turn the meeting over to the Planning Commission. He asked Mr. Apicella to proceed.

Mr. Apicella asked the Commission if they had any additional questions to staff.

Ms. Sellers asked if, in this grandfathering provision, they were referring to the standards that existed prior to October 21, 2025, or were they basing it on the special regulations outlined on page two.

Mr. Zuraf said that it was referring to the pre-October 21, 2025 standards.

Ms. Sellers asked why the special regulations were included.

Mr. Zuraf said that this was essentially re-approving the Ordinance and guidelines established on October 21, with the addition of a final clause that included the grandfathering provision.

Ms. Sellers asked if this would be added to the Zoning Ordinance.

Mr. Zuraf said that the development regulations would be part of the Zoning Ordinance. He said that the new language would not be included within the Zoning Ordinance itself, but it would be attached to that ordinance, which enacted the regulations.

Ms. Sellers asked for clarification as to whether it would be in the Zoning Ordinance.

Mr. Zuraf said that the standards from page 2, as outlined in Section 28-39 of the Special Regulations, starting on page 2 and continuing through to page 6, were included. He said that the language that said "further ordained…" was not in the Zoning Ordinance.

Ms. Sellers asked if they could broaden paragraph Q. She said that it was not referring to special provisions applicable to data centers; rather, it was special provisions applicable to projects meeting the October 21 criteria. She asked if that was correct.

Mr. Zuraf said that this would establish new regulations applicable to data centers, with the exception of the five projects that would be subject to the grandfathering clause. He said that for instance, the rezoning applications currently pending would be subject to these new regulations.

Ms. Sellers said that she understood. She said that in the paragraph, it said that the Board desires to grandfather projects that had received approval for a land use application or site plan were allowed to continue their development processes as further described below. She said that she understood the land use application, but she was having trouble understanding the site plan, particularly in the paragraph that explained it further, where it said "or related." She said that for example, if two projects had already approved site plans and then wanted to introduce something entirely different, she found it challenging to understand why they included the words "or site plan" in this section.

Mr. Zuraf said that the site plans went back to the 2023 provision. He said that this meant that any changes to the site would be subject to the existing zoning regulations on the property.

Ms. Sellers asked if any future submissions would go through this new process.

Mr. Zuraf said that future development not related to data centers would be. He said that for instance, the Vantage project had a site plan revision that reduced the building's square footage. He said that this revision allowed them to proceed under the previous regulations and complete the site plan revision.

Ms. Sellers asked what the situation would be if it was the opposite situation, where someone came in and requested to do more.

Mr. Zuraf said that it was a potential; however, it must meet the floor area restrictions and adhere to the building height limits. He said that it would have to meet all the existing standards that were in place previously.

Ms. Sellers said that if they were to come in 20 years from now and propose upgrades, similar to what they had seen at the Vulcan site, she would like to know how the review process would work. She said that for instance, if they had a site plan approved in 2023, but the technology had advanced to the point where they could now provide data center facilities with a smaller footprint, but with more equipment, she would like to know whether they would be able to simply change the layout without going through the review process.

Ms. Sellers said that she brought up Vulcan as an example, not to criticize Vulcan, but because they had recently seen a similar scenario where Vulcan requested changes to their site due to technological advancements. She said that she was curious to know how that would play out in the future.

Mr. Zuraf said that this would apply for situations where projects had been approved and may undergo revisions as they were being built. He said that once the project was constructed, the situation became different. He said that it was challenging to predict how technology would evolve 20 years from now, making it difficult to provide a definitive answer.

Ms. Sellers said that typically, projects were grandfathered in, meaning that if they were approved before an ordinance change, they would automatically be exempt from the new regulations. She asked what made this item different. She said that she did not remember having to take a specific action to say something was grandfathered. She said that she recalled they were usually grandfathered automatically.

Mr. Zuraf said that when the Ordinance was originally adopted, this provision was not explicitly stated.

Ms. Barnes said that Ms. Sellers was asking why it specifically needed to be included.

Ms. Sellers said that yes, she was wondering why they needed to do that. She said that she did not recall ever taking a specific action to confirm things were now grandfathered. She said that it was always assumed that previously approved developments were grandfathered, particularly with downzoned properties throughout the County.

Mr. Zuraf said that it must be stated and would not be automatic.

Ms. Barnes said that what she was seeing and what she thought she was understanding from both the public and from their discussions was that the concern was that if they included a specific clause regarding related and future applications, development plans, it may inadvertently encourage proffer amendments. She said that this could potentially lead to a big data center project being approved, as it would allow a related project to be encompassed under the same broad campus title, a proffer amendment would allow them to be considered under the old ordinance.

Mr. Apicella said that it was a concern, but it was also a concern as it related to the two already-grandfathered projects.

Ms. Barnes said that her concern was that, if she understood it correctly, this may actually encourage a proffer amendment that could lead to a project being absorbed into a larger, grandfathered project. She said that essentially, by acquiring surrounding parcels, they could create a domino effect, where smaller projects were subsumed into the larger project. She said that this could result in a significant impact.

Ms. Barnes said that Mr. Apicella had suggested changing "related" to "directly attributable" to approved projects, which she found more clear. She asked if they could also potentially consider eliminating that clause altogether.

Mr. Zuraf said that to clarify, he would like to revisit the point of including all properties surrounding the area, it would likely require a rezoning because there were limited M-2 zone properties available. He said that in his view, this would not be considered related. He said that as a result, the applicant would have to follow the entire process. He said that also, this language grandfathered applicants from the Zoning Ordinance regulations and did not grandfather these applications from the Comprehensive Plan guidelines. He said that if they were submitting a proffer amendment, they would be evaluated against the Comp Plan guidelines.

Ms. Barnes said that she understood. She said that perhaps they could discuss in the future whether they could leave out that clause entirely and instead say they were allowed to continue with their development plants under the data center ordinance. She said that she was not sure if that would work any better or make people more comfortable, but she would like to suggest it as a potential solution to the loophole with that phrase.

Mr. Apicella said that someone from the public had mentioned vesting, which he thought was an important point here. He said that if a project had already been pursued based on governmental approval, it could continue to move forward if it was being diligently pursued. He said that therefore, there must be a reason beyond that to add this specific language. He said that this language may be related to the grandfathered projects, which he believed were trying to resolve some gray areas currently, like substation issues.

Mr. Zuraf said that this language would provide certainty for those projects, allowing them to proceed. He said that without this language, applicants would likely need to seek vesting determination to determine if they could proceed under the old regulations.

Mr. Apicella said that there was a specific purpose for including additional language in the proposed revised ordinance to address this issue. He said that without it, the absence could potentially create problems for applicants. He said that he would reiterate what he had previously stated, which concerned the potential for two smart individuals, particularly attorneys, to have differing opinions on the meaning of the word "related." He said that this could ultimately fall to the BZA to determine, which could be a precarious path.

Willie Shelton, Planning Commissioner, asked if this revision locked those existing five projects into their footprints.

Mr. Zuraf said that the Stafford Tech Campus had a proffer amendment rezoning application in process, which included adding approximately four properties that were located within and immediately adjacent to that project. He said that in general, though, it was going to be a matter of looking at the footprints.

Mr. Shelton asked, hypothetically, if one of these five projects had the ability to expand in the M-2 zoning district, could they do that?

Mr. Zuraf said that if the project was expanding onto adjacent property that was already zoned M-2, they had to adhere to the new regulations.

Mr. Shelton asked if they could expand into their current acreage they possessed.

Mr. Zuraf said that as long as they were within the limits of their approvals, for example, the three he mentioned that had approvals under rezoning, they had proffers that established limitations to general building footprint areas. He said that these proffers included setbacks, with some cases having more significant setbacks or variations. He said that these would apply, but there was still some flexibility in each case.

Mr. Shelton asked if two of them did not have approved site plans.

Mr. Zuraf said that they all had approved site plans.

Ms. Caudill asked if Mr. Zuraf could review what stage each of these five projects were in the process. She said that she understood that Pemberton and Melrod were by-right projects and did not go through the rezoning process. She asked if the other three projects were done with the process.

Mr. Zuraf said that they were all in different stages. He said that Stafford Tech Campus had multiple phases. He said that two phases were approved, with additional phases under review and other parts that had not been submitted yet. He said that it was all under the original approval of the rezoning.

Ms. Caudill asked about Cranes Corner.

Mr. Zuraf said that that was just recently approved and he was unsure whether that site plan had even been submitted. He said that they would likely be submitting it soon if they had not already. He said that Potomac Church Tech Center's site plan had already been approved and one building was nearing completion. He said that a proffer amendment for that development was still in process with the Planning Commission.

Ms. Caudill asked what the language "if diligently pursued and until such time as the applications expire to deadlines imposed by the Stafford County Code and state law" meant.

Mr. Zuraf said that it was tied to the applications and major site plans that were submitted. He said that they had a specific time limit that expired after a certain period of time.

Ms. Caudill asked if the grandfathered projects were considered under the old ordinance with the approval of this revision, would the standards still apply? She said that she was thinking about noise monitoring, cooling systems, and construction mitigation plan. She asked if that would still be regulated under the 2023 ordinance.

Mr. Zuraf said that yes, as well as any proffers they applied.

Ms. Caudill asked if they wanted to expand and a neighborhood was abutting that, the County could not intervene because they were held to the old standards.

Mr. Zuraf said that their expansion would be limited to the boundaries of their proffers, which included setbacks on three of the cases. He said that the other two projects already had site plan approvals, leaving limited room for expansion on those sites.

Mr. Apicella asked if there was any further discussion or a motion to recommend the alternate or advertised version to the Board for their consideration.

Ms. Sellers asked if they could suggest changes.

Mr. Apicella said that they could only suggest changes that fell within the scope of the advertisement.

Ms. Barnes asked if the amended language of "directly attributable" could be recommended.

Mr. Apicella said that he had asked staff and they had said it would be acceptable and within the scope of the advertisement.

Mr. Zuraf said that yes, that would fall within the scope of this item.

Ms. Barnes motioned, seconded by Mr. Shelton, to recommend approval of Ordinance O25-29(R), with an amendment changing the word "related" to "directly attributable to the approved project."

Mr. Apicella asked if there was any discussion on the motion.

Ms. Barnes said that she was satisfied that the amended language cleared up the intent. She said that she would rather have the entire clause removed from the language, as she had some serious concerns about a domino effect of projects coming back with proffer amendments.

Mr. Shelton said that he believed that this clarified the situation. He said that they had discussed the matter tonight and addressed some valid points, but this brought some clarity.

Ms. Caudill asked if Mr. Apicella could read the proposed amended language.

Mr. Apicella said that there would be a few tweaks to the proposed ordinance, which he would specify. He read, "be it further ordained that data center projects receiving reclassification or conditional use permit (CUP) approval from the Board of Supervisors or site plan approval on or before October 21, 2025, are allowed to continue with their existing and future applications and development plans." He said that the proposed revised alternative struck out the term "related" and instead stated that such projects were "directly attributable to the approved project under the data center ordinance regulations in place when the project was approved, if diligently pursued, and until such time as the applications or plans expired pursuant to deadlines imposed by Stafford County Code and state law."

Mr. Apicella said that he would add that the proposed revised alternative was not perfect, but it was at least clearer and cleaner than simply using the term "related," which was a very ambiguous term. He said that furthermore, this change would be particularly beneficial for the two already grandfathered projects that had not undergone at least political review or public review through the Planning Commission and the Board of Supervisors. He said that with respect to those projects, any future plans or applications or development plans would have to be directly attributable to their already-approved project. He said that he believed this was a good additional change.

Mr. Apicella called the vote on the motion to approve Proposed Ordinance O25-29(R) with the amended language substituting the word "related" for the phrase "directly attributable to the approved project." The motion passed unanimously (6-1) by roll call vote (Ms. Sellers dissenting).

Mr. Apicella adjourned the Planning Commission's portion of the meeting and turned the meeting back over to Mr. Diggs.

RECESS

The Board recessed at 7:28 p.m. and reconvened at 7:35 p.m.

Mr. Diggs reconvened the meeting.

Ms. Vanuch motioned, seconded by Ms. Bohmke, to approve Proposed Ordinance O25-29(R), with the Planning Commission's recommended language changes, removing the word "related" and adding "directly attributable to the approved project".

Ms. Vanuch said that for the record, she would like to clarify three points. She said that prior to this, she spoke with Ms. McClendon, who had no issues with the changed language, as everyone was aware. She asked Mr. Zuraf, regarding the Board's intent on these changes, if the Board's intent for the site plans that were approved under by-right projects was to allow applicants to acquire additional parcels of land to be encompassed under the pre-October 2025 regulations.

Mr. Zuraf said no.

Ms. Vanuch said that her next question was whether the Board's intent with this revised Ordinance change to allow additional parcels to be purchased, acquired, and added to the already-approved projects that were approved under the old regulations prior to October 2025.

Mr. Zuraf said that the Stafford Tech Campus had an application that included a proffer amendment and rezoning. He said that this proposal added four parcels that were essentially located within the existing area, as previously mentioned.

Ms. Vanuch asked if that was already submitted.

Mr. Zuraf said that yes, it had already been submitted, but not approved.

Ms. Vanuch asked if it was the Board's intent was to allow the site plans that had already been approved to move forward, specifically, the three that came before the Board and the two by-right as they had been presented under the old regulations only.

Mr. Zuraf asked Ms. Vanuch to repeat her question.

Ms. Vanuch said that as she understood it, the intent of the Board was to allow the site plans previously approved under the old regulations would be permitted to continue with data centers. She said that additionally, the three projects that had already received reclassification or conditional use permit approval from the Board of Supervisors would be allowed to proceed as planned, with the revision of this Ordinance.

Mr. Zuraf said that yes, that was correct.

Ms. Bohmke said that she had a few members of the public ask her questions about why the track changes were in the document instead of a clean version online.

Mr. Zuraf said that the Ordinance and its revision were essentially the same, and it was essential to demonstrate how the development regulations were evolving. He said that if one reviewed the actual Zoning Ordinance and in Municode online, they would see that everything had been updated and presented in a clean, finalized format.

Ms. Bohmke said that upon reviewing the Planning and Zoning documents on the Stafford government website, she noticed that it directed users to Municode, but the Ordinance had not been updated there. She said that she had previously discussed this with Ms. McClendon, who informed her that they had not yet submitted the update.

Ms. McClendon said that once the Board adopted the Ordinance, it became part of the Zoning Ordinance. She said that they then sent their Zoning Ordinances to Municode for codification. She said that codification involved taking the Ordinance and putting it into the County Code format, which was done quarterly. She said that prior to sending it in, the Board had authorized this joint public hearing, so instead of listing it online and codifying it, they had decided to hold off. She said that they had chosen to delay this process because they would have to pay for it twice. She said that by holding off, they aimed to save the County money and avoid confusion by not posting an ordinance that would change.

Ms. McClendon said that as a result, when the Board passed this Ordinance tonight, it would be sent to Municode. She said that within a week or so, it would be posted on the website to indicate that it had been adopted. She said that however, it would not be incorporated into the County Code until their next codification, which could be several months away, as it was done quarterly.

Ms. Bohmke asked if someone could look at County Code rather than Municode to see the updated document.

Ms. McClendon said that yes, the Ordinance was available on the County's public access site where they had all of the Board's approved resolutions, ordinances, and minutes, dating from the 1800s to present. She said that it was included on that website.

Dr. Yeung said that although this revision was attributed it to an oversight, she believed that the recent changes they were making, including grandfathering these five sites, may lead to revisiting this issue in the future. She said that as data centers sought approval, they may find loopholes in the Ordinance. She said that given this, they needed an appropriate framework rather than just setbacks. She said that she planned to make comments in her future Board comments about that future work.

Mr. Diggs said that as many constituents had expressed, this was a balance they were trying to strike. He said that however, he also wanted to reiterate his previous suggestion to slow down this process to ensure they got it right. He said that sometimes, this had been misinterpreted as an attempt to benefit developers or get kickbacks. He said that this example highlighted the need to slow down and thoroughly work through the process, ultimately protecting the constituents of the County.

Mr. Diggs called the vote on Proposed Ordinance O25-29(R) with the amended language substituting "related" to "directly attributable to the approved project."

The Voting Board tally was:

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

REPORTS BY BOARD MEMBERS (CONTINUED)

Ms. Bohmke – reported that this Thursday at the Northern Virginia Transportation Commission (NVTC) meeting, since they were the parent agency to Virginia Railway Express (VRE), they had selected their new Chief Executive Officer for VRE. She said that as a parent company to Potomac Rappahannock Transportation Commission (PRTC) and NVTC, they would ultimately announce this Thursday night at 7:00 p.m., and VRE would announce the next day, following the public process.

Ms. Bohmke said that she had been a part of the VRE selection committee, and she believed it had been a great process, resulting in a phenomenal CEO to take over after Rich Dalton's retirement. She said that she would like to express her appreciation for the public comments received tonight. She said that she recalled starting her public involvement 16 years ago, discussing issues with the School Board, where she and five others had concerns about. She said that they approached the School Board, using their allotted time. She said that she spoke with Andre Nougaret and met with him about the agenda they wished to accomplish. She said that he would often tell her that systemic change took time, and she replied that it should have been accomplished a year ago.

Ms. Bohmke said that despite their differences, they had a productive time, and they successfully raised awareness to the School Division about issues that were not previously acknowledged. She said that before she knew it, she was appointed to the School Board, and now, 12 years later, she was on the Board of Supervisors. She said that she wanted to thank everyone for their public engagement, as they valued their opinion and respected the intelligence and insight of their community. She said that she was thankful for them.

Mr. English – agreed with Ms. Bohmke that the public's input making a significant difference in their work, particularly with the data centers. He said that regarding Musselman Park, he would appreciate an update on the progress from staff. He said that to Ms. Krauss, he had a question regarding the Lidl on Route 17 near the Walmart, because the road had been closed up there. He asked if Ms. Krauss could provide an update for the public.

Donna Krauss, Deputy County Administrator, said that staff had checked with both the owners of Lidl and Walmart. She said that they were currently performing maintenance on the throughway, which was not a public road. She said that they were required to keep it open; however, the Code allowed them to perform maintenance work. She said that they had anticipated that it would take only five to seven days. She said that unfortunately, it had taken a bit longer, so staff would visit the site tomorrow to assess the situation and determine how much longer the repairs would take.

Mr. English asked Mr. Ashton what the status was for the movie theater at the Garrison project.

Mr. Ashton said that they received only one piece of documentation, which indicated that the tenant had a lease that subsequently went bankrupt and vacated the premises. He said that this documentation was provided to them a couple of years ago and they had received no updates.

Mr. English asked if that meant there was no movie theater lease.

Mr. Ashton said that there had been nothing provided that would suggest that.

Ms. Gary – expressed her gratitude to the individuals who consistently participated in their meetings and shared their concerns and ideas. She said that it was truly beneficial for the Board to have their engagement, as it allowed them to better serve and understand their community's needs. She said that they appreciated their dedication to fighting for what mattered to them, whether it was addressing data center concerns or securing funding for their schools.

Ms. Gary said that it was heartening to see them all so invested in their community's well-being, as that was why the Board was here, too. She said that she also wanted to bring to attention to a concern she saw on Facebook. She said that she occasionally reviewed the live stream and took note of the discussions and topics being addressed. She said that recently, there was a concern raised about Dominion's failure to maintain an easement in Aquia Harbor, which had gone unaddressed for years. She said that they had been working to get them to replant trees, but they were resistant. She said that she believes some of those present in the meeting may recall this issue.

Ms. Gary said that she had escalated this matter through some contacts, with the goal of identifying the decision-makers responsible for planting screening trees to mitigate the impact on some of her constituents. She said that although a new playground was being built, it did not address the long-term issue of the viewshed. She said that she would continue to work on this and will keep everyone updated as she gathered more information.

Ms. Gary said that she also attended the annual Chamber of Commerce legislative breakfast, which was informative and provided a valuable opportunity for people to engage with new issues as things changed and grew. She said that she would like to extend her gratitude to the Chamber for hosting this event every year. She said that she would also like to thank their Economic Development Director, Liz Barber, for stepping in to speak at a ribbon-cutting ceremony for FXBG Neighbors. She said that she had a scheduling conflict, and Liz graciously took on the role and did an excellent job. She said that she was very grateful to her for that.

<u>Ms. Vanuch</u> – announced that in Rock Hill, they held the Firetruck Santa Run every Christmas. She said that Garrisonville 14 and Rock Hill 8 had published the run routes and dates, and she would like to quickly review them so the public was aware of the dates. She said that many neighborhoods planned events to have cocoa outside with their neighbors during this time.

Ms. Vanuch said that on December 18, the following neighborhoods would participate: Magnolia Woods, Greenleaf Terrace, Roseville Plantation, Rosewood Estates, Countrywood Estates, and Rosedale. She said that on December 19, a couple of Garrisonville neighborhoods, Devon Green and Park Ridge, would join Rock Hill's Oak Ridge and Raintree. She said that December 20 would include Heritage Oaks in Garrisonville and Arbor Glen, Shelton Woods, Shelton Knolls, Springlake Farm, Eastern View, and Berkshire in Rock Hill. She said that December 21 would be Vista Woods and Shelton's Run, and December 22 would be Lake Arrowhead, St. George's, and Apple Grove.

Ms. Vanuch said that the firefighters participating in these runs were not volunteers from the two stations, and they would have to leave their posts if they received emergency calls. She said that it was a joyous event, and she encouraged everyone to show their appreciation by visiting the fire stations and bringing treats for the firefighters and first responders.

Ms. Vanuch said that next, she would like to update the audience on the SCC letter regarding the Kraken Loop. She said that the letter had been updated to include the Garrisonville District, and Dr. Yeung had included her electronic signature. She said that she would be sending the updated letter to the SCC this week, along with herself, Mr. English and Dr. Yeung. She said that she was also pleased to see so many people attending before they moved into closed session.

Ms. Vanuch said that one of the items on the closed session agenda was the Kraken Loop, which they could not discuss in detail due to legal guidance from their attorney. She said that she would like to propose that they aim to improve transparency to the public by general polling of the Board and sharing any information that could be disclosed without compromising their legal position, once they were finished with their closed session. She said that she envisioned a joint town hall meeting with the three of the affected Districts' Supervisors after the holiday season, where they could discuss the Kraken Loop issues and easement concerns in the districts they represented.

Ms. Vanuch said that they should advertise the information and provide all necessary details because it was anticipated that hundreds, if not thousands, of constituents would reach out to the SCC. She said that as their elected leaders, they must offer clear, definable, and deliverable guidance on how to navigate this situation as a community. She said that she would appreciate polling the Board on transparently disclosing the information they had learned, as long as it did not compromise their legal position and would not be detrimental to them from a legal perspective.

Mr. Diggs said that he was not opposed to polling the Board, but he would assume that if there was any information that could be discussed in open session, then the briefing would not require a closed session.

Ms. Allen said that when the Board received privileged information, the privilege lay with the Board and would require them to waive their privilege, depending on the issue before them. She said that if it was a situation where the information may be impactful in a potential legal situation, then Ms. Vanuch recommended that they use that determination in conjunction with legal counsel to determine what they could and could not say. She said that if there were things they could say that would not have a negative impact, she was asking if they could provide those updates. She said that she was comfortable waiving the privilege in that situation, but she would need to see what they could share.

Ms. Vanuch said that she understood that they did not yet know what their legal counsel would tell them, but she wanted the public to know that in addition to their unanimous support of the Resolution they adopted earlier in today's meeting, they were completely committed to assisting the public in this matter, so they must trust they were having those closed session conversations in the best interest of the community. She said that she would like for the Board to be able to disclose what they could without hurting their legal position as they moved forward with this matter. She said that she wanted the public to understand that that was the intent of the entire Board before they went into the closed session. She said that she had no other reports or comments.

Ms. Bohmke said that she would support that, and she would like to add a comment. She said that considering some of the issues the Board had dealt with over the past four to 12 years, she thought back to the methadone clinic and how they could have handled that situation better. She said that she thought it caused a lot of consternation, so when considering a situation like this, if there were things the Board could share with the public that would not negatively impact their legal position, they definitely should do that to the best extent they were able.

Mr. Diggs confirmed there was unanimous consensus from the Board to share relevant and appropriate information from their closed session with the public.

Dr. Yeung – reported that regarding the Kraken Loop, she had been working with constituents from various districts, including her own. She said that over the past six months, they had been discussing Kraken Loop, and she had been meeting with Dominion to address the issues they would face as a County, sharing that information with the Chair and with the County Administrator. She said that it was not just about bringing attention to the issue in open meetings; some of the work they did was behind the scenes, trying to familiarize themselves with the situation.

Dr. Yeung said that she had been fighting to bury powerlines since the 1990s, when they successfully prevented the construction of Hampton Oaks overhead lines. She said that she certainly wanted to ensure that Kraken Loop was built under the ground, just like they had done with Hampton Oaks.

Dr. Yeung said that she had also been attending events, such as the Legislative Chamber of Commerce with Ms. Gary, and cutting ribbons for local businesses, including the eye doctor and dental office in Embrey Mill. She would be speaking with Ms. Barber about a new restaurant interested in coming to Embrey. She said that she would also like to mention that she had attended the Office on Youth, a regional agency. She said that in terms of budget updates, the increase of $182,687 to $2.29 million was largely due to staffing, specifically expanding the Chaplain Youth Center from 8 to 11 full-time equivalents. She said that this was a result of their higher census and increased costs for food, fuel, and program growth.

Dr. Yeung said that she was also part of the PRTC planning subcommittee, where they discussed regional transit needs and service reliability. She said that additionally, she had been attending the Goodwill Board, which was not part of the regional boards she attended. She said that a notable highlight was the celebration of a young man who was hired by Amazon after completing the Goodwill program. She said that she would also like to mention Micah Ministries, which recently built a 109-home community called Jeremiah Community. She said that this community provided single and double unit small homes, as well as an 80-unit apartment complex.

Dr. Yeung said that she learned that Jeremiah, an Army veteran from Stafford, was previously homeless and spent most of his days sitting on a bench in downtown Fredericksburg. She said that he was now one of the residents of this community. She said that this story highlighted the impact of their community's efforts to create affordable housing for those in need. She said that bringing homes to individuals, not just the homeless, but also those who needed more housing in Stafford County, was a priority they should seriously and continuously consider.

Dr. Yeung said that lastly, she would like to discuss the fixed 760-foot setback. She said that she would like to explore the possibility of a sliding scale, as the current 760-foot limit was set in stone. She asked if they were talking about 760 and under or 760 and over. She said that some of their constituents wanted 1,500 or 1,000 feet, while a Board member suggested 1,320 feet. She said that they had settled on 760 feet, but she had always questioned it because it was not an evidence-based justification. She said that a sliding scale should take into account factors such as utilities, generators, noise, density, distance, water use, and tax impacts, as well as buffers, trees, and berms.

Dr. Yeung said that they should be directing data center growth into a suitable corridor, avoiding any consternations about its proximity to homes. She said that for example, an industrial area near the airport with existing water and utilities would be a more suitable location. She said that their current Ordinance simply stated 760 feet with no justification. She said that the County needed a defensible framework that evaluated each site based on facts, protected residents, and provided the County with flexibility.

Dr. Yeung said that if one applicant was granted a reduced setback, but not another, litigation could be likely. She said that a better approach would be to establish a sliding scale with minimum and maximum setbacks, with variation based on some form of qualification related to the use. She said that she requested that the Board revisit this issue and provide more information on a criteria for evaluating setbacks, as the current approach was open to interpretation and had loopholes. She asked if the Chair would poll the Board on directing staff to bring back more information on developing criteria to that end.

Mr. Diggs said that he believed the most appropriate time to discuss this matter further would be in January with the new Board members. He said that they could not bring it back at their next meeting.

Dr. Yeung said that she would like to ask staff to start looking into it.

Ms. Gary said that she would not be on the Board after December, so she could not do anything to move this initiative forward. She said that she understood the reasoning behind Dr. Yeung's suggestion, but she believed moving it to January would be the most appropriate course of action at this time.

Dr. Yeung said that she would bring it back at that time.

Mr. Diggs – reported that the first issue he would like to bring to the Board's attention is a problem he had been dealing with in the Spring Knoll Plaza, located in the George Washington District off Plantation Road. He said that to set the context, the area included a car wash off of Route 17 and Sebring Drive, as well as a shopping center. He said that on Sebring Drive, there were numerous craters, and a couple of years ago, the car wash had paid thousands of dollars to repair the damage. He said that the issue recurred in June, and he received messages from constituents, which prompted him to visit the area. He said that upon visiting, he found large potholes that were damaging cars, forcing drivers to move into the other lane and creating chaos.

Mr. Diggs said that at the time, he had staff reach out to identify the property owner, which took some time. He said that once the owner was contacted, he was dismissive and claimed he would hire engineers to address the issue. He said that the car wash company ultimately fixed the problem three weeks ago, as the owner refused to do so. He said that he also attempted to reach out to him, but he refused to speak with him. He said that this issue highlighted the need for a property maintenance code, as their staff was limited in their ability to hold property owners accountable for road maintenance. He said that this affected numerous businesses in the area, and he was requesting the Board's support in having staff begin researching a property maintenance code.

Ms. Allen said that when she first joined the Board, she recalled bringing up this topic with regards to encouraging landlords and tenants to be more responsible and maintaining their properties. She said that one of the issues she thought was relevant was how to enforce these responsibilities. She said that even if they had a maintenance code, she was wondering what the effective enforcement mechanism would be.

Ms. Allen said that she believed that when it came to certain building regulations, a significant portion was driven by state laws. She said that consequently, she was uncertain whether the intended remedy would be beneficial from a state-level perspective, as she was unsure how to obtain the necessary enforcement mechanisms. She said that they did not possess the authority to implement such measures.

Mr. Diggs said that he had a brief conversation with staff, enforcement would require additional staff. He said that part of staff researching the potential for creating a property maintenance code would also include what the staffing requirements would be. He said that there had been numerous issues throughout the County related to this topic.

Ms. Vanuch said that she would suggest that staff revisit the documents they previously reviewed, as they had considered something similar in the past. She said that the only previous action they had taken was implementing a pool maintenance requirement, which arose from old pools becoming dilapidated and creating mosquito breeding grounds near neighboring homes. She said that although they had a pool requirement in place, their Zoning Ordinance was complaint-based only.

Ms. Vanuch said that given this, she believed they would need to be extremely limited in scope to focus on business-related issues. She said that there were only a few instances like this, and they would need to be cautious about how they approached them because it may require hiring more attorneys to process this information. She said that if the property owner did not comply with the requests to make repairs, after the violations were sent, the County would have to sue them. She said that they had a similar issue near Barley Naked and the Wawa Tech Parkway, where it was privately owned. She said that a massive pothole was present, and the surrounding tenants ultimately banded together hired an attorney to force the property owner to repair the road.

Ms. Vanuch said that providing resources to address property maintenance issues in the short term could be beneficial. She said that she would only be open to this if they could restrict the scope to only business-related roads, but she would not like to get into property maintenance of personal homes. She said that she believed it would be challenging to implement such a policy. She said that she recalled discussing this issue being discussed in 2020 or perhaps right before the COVID-19 pandemic. She said that they did not pursue it because it was similar to serving as a homeowners' association president, and that was a difficult role to take on.

Ms. Allen said that one of the issues they faced was that some of these businesses required them to play whack-a-mole to identify who was responsible for the property. She said that she understood the need for this, but she also wanted to set clear expectations because initiating a large-scale effort on the part of the County was a significant undertaking, especially considering their current understaffing in Planning and Zoning. She said that this ultimately became a policy decision.

Ms. Allen said that their role was to address the staffing shortages in Planning and Zoning to enable them to effectively support economic development and move forward with the development requests they had made. She said that the question was, where would they allocate their resources? She said that these were policy decisions that needed to be made. She said that she was not opposed to this effort, but wanted to set expectations on what they would be facing. She said that if Mr. Diggs was asking her to fund additional staff for this purpose over their previously-identified staffing needs, she could not support that.

Mr. Diggs said that when they discussed these issues, these were the concerns that constituents had about infrastructure and businesses. He said that these were the types of problems that affected people's daily lives, whether they were driving through the area or deciding whether to locate their businesses there. He said that he had been frustrated with the lack of action on this issue and was convinced it was a major issue by the packet of complaints he had received.

Mr. Diggs said that he was overwhelmed by the amount of emails he had received on this issue. He said that members of the public were disappointed and disheartened that their local government could not take action on their behalf. He said that he understood Ms. Allen's point that there was a priority list, but he believed they needed to take care of their constituents with regards to this issue.

Ms. Bohmke said that she believed all of the Supervisors had dealt with this specific issue. She said that potholes often were only fixed when a new property owner took over and fixed them. She said that it was often incredibly difficult to track down the owners whose property was causing the issue, and even more difficult to get them to take action. She said that in order for the County to effectively solve this, it would require more staff members and staff time. She said that she understood Mr. Diggs' concern but wanted to emphasize the budgetary strains that currently existed. She said that she believed that the tenants of those properties had to put pressure on the owner, and she did not think the County could afford to hire staff to take on that work. She said that perhaps the County Attorney could come up with a solution to benefit the tenants so they could communicate more effectively to their landlord.

Mr. Diggs said that from his perspective, he wanted to know what it would take to make it happen. He said that if staff came back and said they needed two staff members and it would cost $150,000, he wanted to be able to say to his constituents that they had looked into this option and unfortunately, they could not proceed with it. He said that rather than saying they could not do it because they knew it would cost something, he wanted to know what the actual cost was and what steps had been taken to explore this possibility.

Ms. Bohmke said that although she would not be here in the new year, she had no problem with staff looking into it and coming back to the Board with additional information.

Mr. English said that when he was working with crime prevention, he researched Virginia Beach's approach to maintenance agreements. He said that since they had a well-established system, he would recommend starting with them as a reference point. He said that their maintenance agreement involved the County and addressed various issues beyond just potholes. He said that it was a model that could be applied to other situations. He said that if possible, he would suggest reaching out to them to learn more about their approach and how it worked.

Mr. Diggs said that he believed it was essential that their County looked good. He said that coming down Route 17 and Route 1, there should be a sense of pride and happiness as everyone traveled through Stafford.

Ms. Vanuch said that she thought staff should share the documents from the previous iteration of this work with Mr. Diggs. She said that she did not think their budget could accommodate this initiative at this time, but she would not be opposed to looking at it after their budget for the upcoming year was approved. She said that she would not be in favor of building this into the budget at this time.

Mr. Diggs said that to clarify, he was just asking for information, which he assumed would take some time.

Ms. Gary said that she was supportive, understanding it may not be able to get funded right away. She said that there were many requirements that people received notices about, and while the County may not aggressively enforce them, they were still considered important for people to maintain. She said that she thought it would be good for them to look into this issue and could be very helpful throughout the County.

Mr. Diggs confirmed there was consensus from the Board to direct staff to research a property maintenance code.

Mr. Diggs said that for his final comment, he would like to discuss the Patwomeck Tribe. He said that he wanted to go on record as to how he viewed the conversation happening in the publc. He said that today, he had taken the time to learn about Virginia Indian tribes, spoken with anthropologists, and studied the Patawomeck Tribe. He said that he was doing this because it was essential to be educated on these issues and to understand their impact on the County and beyond.

Mr. Diggs said that words mattered. He said that to be completely honest, to come down to the podium and suggest that the Patawomeck Tribe were just white people portraying themselves as Indians and comments of that ilk were racist and uncalled for. He said that they must all educate themselves on the history of Native American tribes. He said that today, when he was talking about Indian tribes, they discussed the struggles faced by Indian women who were forced into marriages with whites or had relationships with black people, which had significant implications for their recognition as Native American. He said that learning the details of this history broke his heart. He said that the Board's decisions and votes and the things they allowed to influence them could have a profound impact, and it was essential that they stop perpetuating these falsehoods.

Mr. Diggs said that he was shocked that more people had not called this for what it was. He said that when constituents came to them, he believed everyone had a voice and a right to speak; however, when discussing something this serious, they could not make flippant remarks. He said that he asked, what degrees had they earned in this field? Where had they learned these facts? He said that they should not consider people experts when they lacked so much other important information and qualifications.

Mr. Diggs said that he unequivocally supported the Patawomeck Tribe and encouraged everyone to do their research and learn about the history of the tribes in Virginia. He believed it was essential to speak with those who had real knowledge on this issue, had dedicated their careers and had doctorate degrees in this field.

REPORT OF THE COUNTY ATTORNEY

Rysheda McClendon, County Attorney, said that although this was not the last meeting of the year, this was the last meeting in which she had the opportunity to make comments. She said that she wanted to take the opportunity to express her sincere appreciation for working with Ms. Bohmke and Ms. Gary. She said that she and Ms. Bohmke had worked together for a long time now and it had been a joy to work with both of them. She said that she wished them both much success and enjoyment in their future endeavors.

REPORT OF THE COUNTY ADMINISTRATOR

William Asthon, County Administrator, said that there had been several Board inquiries and public inquiries, and it had been mentioned earlier today that they were experiencing low water levels, particularly in the wetland areas of Potomac Run. He said that staff had been investigating the issue, and they had observed a drier-than-normal condition over the past three months. He said that they had gotten very little rainfall, prompting them to contact the Department of Environmental Quality (DEQ), which monitored wetland areas throughout the state. He said that the DEQ had convened their drought group and declared a drought watch for these areas in central and northern Virginia.

Mr. Ashton said that therefore, they were watching their reservoirs closely. He said that although Lake Mooney was at 95% capacity, Smith Lake was at 70%, which was problematic. He said that they would be revisiting this issue with the Board in two weeks, unless significant changes in the weather occurred. He said that at that time, they would trigger the drought management plan that had been adopted approximately six to eight months ago. He said that this plan would involve voluntary reductions in commercial and residential water usage, as well as increased public awareness campaigns.

Mr. Ashton said that one potential benefit of the actions the Board took regarding data centers tonight was that there would be water improvements from the STC. He said that this would allow them to transfer water from the north end of the County to the south end. He said that it would enable them to draw more water from Lake Mooney and move it north, rather than relying solely on Smith Lake; it was a supply-demand issue. He said that they would be back in two weeks with a resolution for the Board to enact the drought management plan, pursuant to actions at DEQ and the current levels of their reservoirs at that time.

Mr. Ashton said that in the meantime, they could only hope for rain. He said that it had been a prolonged dry spell, with little to no rain in three months, until just this past week. He said that he believed that they needed more significant rainfall to alleviate the situation.

Mr. Ashton said that finally, he wanted to state that he had truly enjoyed working with Ms. Bohmke and Ms. Gary. He said that it had been a joy. He said that they were members of the Board that had hired him, and Ms. Bohmke was the Chair he had negotiated with, so they would always remain in a special place in his heart. He said that he wanted to thank them very much. He said that he also wanted to thank the rest of this Board for an incredible first year of working together. He said that he wished Ms. Bohmke and Ms. Gary the very best as they moved forward.

PRESENTATIONS AND REPORTS BY AGENCIES

There were none.

ACTION ITEMS

There were none.

CLOSED SESSION

Ms. Allen motioned, seconded by Ms. Vanuch, to enter into closed meeting.

The Voting Board tally was:

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

Resolution CM25-25-16 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion of the salary of a specific public officer; (2) consultation with legal counsel regarding a proposed electric transmission line project, which is a specific legal matter requiring the provision of legal advice by such counsel; and (3) discussion concerning the recruitment for a specific employee of the Board and the performance of a specific employee of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(1) and (A)(8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of December, 2025, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED SESSION

At 9:38 p.m., Ms. Allen motioned, seconded by Ms. Bohmke, to certify closed meeting.

The Voting Board tally was:

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

Resolution CM25-16(C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON DECEMBER 2, 2025

WHEREAS, the Board has on this the 2nd day of December, 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 2nd day of December, 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.

Ms. Allen motioned, seconded by Ms. Gary, to increase the Treasurer's salary by $15,500 effective October 8, 2025.

The Voting Board tally was:

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

Ms. Vanuch said that following their closed session, they had authorized their staff as a Board to follow up on the Kraken Loop issue with Dominion Power. She said that they had identified five key action items. She said that first, they had authorized their staff to create a one-pager detailing the Loudoun County transmission line expansion, highlighting the similarities and differences between the proposed project in Stafford County and the process for Stafford County as Dominion moved forward with seeking approval from the SCC, with the goal of presenting this update at their December 16 Board meeting. She said that they had also asked their staff to establish clear boundaries regarding what, as a Board, they had the authority to do under state law and what they did not.

Ms. Vanuch said that they had also requested that their staff research the limitations within state law and propose any potential legislative recommendations or changes that they could add to their legislative agenda to enhance their authority from the General Assembly in addressing issues like this. She said that they had further agreed to hire outside counsel to advise the County on this matter. She said that they had decided to hold a joint town hall meeting in the three impacted districts of Hartwood, Garrisonville, and Rock Hill, with the intention of inviting Dominion to participate after the new year and publicizing the date as soon as it was confirmed.

ADJOURNMENT

The Board adjourned its meeting at 9:40 p.m.

William H. Ashton, II
County Administrator