

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA,
MINUTES
REGULAR MEETING
JULY 7, 2026

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, July 7, 2026 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; Maya P. Guy, Vice Chairwoman; Tinesha O. Allen; Pamela Yeung; Darrell E. English; Crystal Vanuch; Kecia S. Evans.

Also in attendance were Bill Ashton, County Administrator; Rysheda McClendon, County Attorney; Sukhi Purewal, Deputy Clerk; various staff members; and other interested parties.

INVOCATION

Ms. Vanuch led the invocation.

PLEDGE OF ALLEGIANCE

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

CHAIR REMARKS

Mr. Diggs said that he hoped everyone had a wonderful Fourth of July celebrating the nation's 250th birthday. He said that unfortunately, the weather was not cooperative and Fourth of July event was canceled. He said that they canceled to ensure the safety of their visitors as well as their staff. He said that staff was there ready to hold the event despite the extreme heat advisory, but the thunder and lightning made the conditions too unsafe.

Mr. Diggs said that they looked forward to getting back on track next year, and they appreciated the community support. He said that he wanted to thank all the Parks and public safety staff who worked on the event during very challenging conditions. He said that no matter the weather or situation, their goal was to keep everyone safe, and the storms made that event even more difficult. He said that they were very proud of their professionalism and dedication.

Mr. Diggs said that he wanted to remind residents that the Board would be on legislative recess following this meeting until Tuesday, August 18, 2026. He said that that meeting would be a B-day, but it would include a consent section on the agenda. He said that although the Supervisors would not hold regular public meetings during their recess, County staff would ensure the operation of government services. He said that the Board of Supervisors encouraged community members to continue reaching out, ensuring a steadfast commitment to serving the public.

Mr. Diggs said that the National Association of Counties (NACo) recently announced that Stafford County received six 2026 NACo Achievement Awards. He said that these were the most awards

the County had ever received in one year. He said that the NACo Awards recognized outstanding County government programs and services, and departments that won included Utilities, Economic Development, Tourism, the R-Board, Human Resources, and Community Engagement. He said that the awards highlighted innovative programs that improved services to residents. He congratulated them all on a job well done.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

BUDGET AND MANAGEMENT; BUDGET AND APPROPRIATE STATE FUNDING FOR SCHOOL OPERATING FUND; PROPOSED RESOLUTION R26-260

Mr. Ashton said that there was one addition to the agenda this evening, which was an item under Budget and Management, Budget and Appropriate State Funding for the School Operating Fund, proposed Resolution R26-260. He said that the background information was all in the folders in front of the Supervisors.

Mr. English motioned, seconded by Ms. Evans, to approve the regular agenda.

Ms. Guy asked if the Board would be amenable to moving up the Schools item on the agenda so School Division staff did not have to wait until the end of the meeting.

Mr. Diggs said that he would suggest they move it to after public comment, right before Item 29.

The Voting Board tally was:

Yea: (7) Diggs, Guy, Evans, Yeung, Allen, English, Vanuch

No: (0)

CONSENT AGENDA

ITEM 1. CAPITAL PROJECTS TRANSPORTATION; ENDORSE AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SUBMIT FISCAL YEAR (FY) 2028 APPLICATIONS TO VIRGINIA'S ROUND 7 SMART SCALE FUNDING PROGRAM; PROPOSED RESOLUTION R26-231

ITEM 2. CAPITAL PROJECTS TRANSPORTATION; APPROVE A GRANT AGREEMENT WITH U.S. DEPARTMENT OF TRANSPORTATION (USDOT) FOR A SAFE STREETS 4 ALL GRANT, BUDGET AND APPROPRIATE FUNDING, AND APPROVE SUBSEQUENT TASK ORDERS; PROPOSED RESOLUTION R26-232 (GRANT AGREEMENT); PROPOSED RESOLUTION R26-233 (TASK ORDER FOR SAFETY ACTION PLAN); PROPOSED RESOLUTION R26-234 (TASK ORDER FOR BICYCLE AND PEDESTRIAN PLAN)

ITEM 3. CAPITAL PROJECTS TRANSPORTATION; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH WALLACE MONTGOMERY & ASSOCIATES, LLP, FOR DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION SERVICES FOR THE MINE ROAD AND GREENSPRING DRIVE PROJECT; PROPOSED RESOLUTION R26-226

ITEM 4. CAPITAL PROJECTS TRANSPORTATION; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH WALLACE MONTGOMERY & ASSOCIATES, LLP, FOR DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION SERVICE FOR THE CHATHAM HEIGHTS AND KINGS HIGHWAY PROJECT; PROPOSED RESOLUTION R26-227

ITEM 5. CAPITAL PROJECTS TRANSPORTATION; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH RINKER DESIGN ASSOCIATES, P.C., FOR DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION SERVICES FOR THE FORBES STREET SIDEWALK PHASE 1 PROJECT; PROPOSED RESOLUTION R26-228

ITEM 6. CAPITAL PROJECTS TRANSPORTATION AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH RINKER DESIGN ASSOCIATES, P.C., FOR DESIGN SERVICES FOR THE BARRETT HEIGHTS ROAD SIDEWALK PROJECT; PROPOSED RESOLUTION R26-230

ITEM 7. CAPITAL PROJECTS UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH RAMBOLL AMERICAS ENGINEERING SOLUTIONS, INC (RAMBOLL) FOR DESIGN ENGINEERING SERVICES FOR THE SMITH LAKE WATER TREATMENT FACILITY REDUNDANT CLEARWELL PROJECT; PROPOSED RESOLUTION R26-235

ITEM 8. CAPITAL PROJECTS PUBLIC CONSTRUCTION; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BKV GROUP DC, PLLC FOR THE DESIGN OF THE NEW COURTHOUSE BUILDING; PROPOSED RESOLUTION R26-239

ITEM 9. COMMUNITY ENGAGEMENT; APPROVE A PROCLAMATION HONORING AND RECOGNIZING FIRST RESPONDERS ON THE OCCASION OF THE TENTH ANNUAL FIRST RESPONDERS BREAKFAST; PROPOSED PROCLAMATION P26-12

ITEM 10. COUNTY ADMINISTRATION; APPOINT MR. JAVIER PENZELLNA TO REPRESENT STAFFORD COUNTY ON THE INDUSTRIAL DEVELOPMENT AUTHORITY OF STAFFORD COUNTY AND THE CITY OF STAUNTON, VIRGINIA FOR A TERM ENDING JUNE 30, 2030

ITEM 11. COUNTY ADMINISTRATION; APPOINT MR. SAID HASHEMI AS THE AQUIA DISTRICT REPRESENTATIVE TO THE STAFFORD COUNTY PARKS AND RECREATION COMMISSION FOR A TERM ENDING DECEMBER 31, 2029

ITEM 12. COUNTY ADMINISTRATION; APPOINT MS. KARRIN FELTON TO THE AQUIA DISTRICT SEAT ON TELECOMMUNICATIONS COMMISSION FOR A TERM ENDING DECEMBER 31, 2026

ITEM 13. COUNTY ADMINISTRATION; APPROVE THE MAY 19, 2026 BOARD OF SUPERVISORS MEETING MINUTES

ITEM 14. COUNTY ADMINISTRATION; APPROVE THE MAY 26, 2026 BOARD OF

SUPERVISORS WORK SESSION MINUTES

ITEM 15. COUNTY ADMINISTRATION; APPROVE THE JUNE 02, 2026 BOARD OF SUPERVISORS MEETING MINUTES

ITEM 16. COUNTY ADMINISTRATION; APPROVE THE JUNE 16, 2026 BOARD OF SUPERVISORS MEETING MINUTES

ITEM 17. COUNTY ADMINISTRATION; APPROVE THE JUNE 23, 2026 BOARD OF SUPERVISORS WORK SESSION MINUTES

ITEM 18. COUNTY ATTORNEY; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE RELEASE OF THE COUNTY'S INTEREST IN TAX MAP PARCEL NOS.. 43;59B AND 43-59C TO THE UNIVERSITY OF MARY WASHINGTON FOUNDATION (UMWF); PROPOSED RESOLUTION R26-249

ITEM 19. COUNTY ATTORNEY; BUDGET AND APPROPRIATE UNSPENT FUNDS FROM PRIOR YEAR-END FUND BALANCE TO FUND OUTSIDE LEGAL COUNSEL REPRESENTING THE COUNTY CONCERNING THE NORTH ANNA TO BRISTERS TRANSMISSION LINE PROJECT; PROPOSED RESOLUTION R26-199

ITEM 20. FACILITIES MAINTENANCE; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH ARCHITECTURAL PRODUCTS OF VIRGINIA, INC. FOR THE PURCHASE AND INSTALLATION OF CAMERA AND SECURITY PRODUCTS, DOORS AND DOOR FRAMES, DOOR HARDWARE, AND RELATED SERVICES; PROPOSED RESOLUTION R26-236

ITEM 21. FACILITIES MAINTENANCE; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH JOHNSON CONTROLS, INC. FOR THE SERVICE, MAINTENANCE, REPAIR AND REPLACEMENT OF COUNTY ACCESS CONTROL SYSTEMS, EDNA SYSTEMS, AND RELATED SECURITY EQUIPMENT; PROPOSED RESOLUTION R26-238

ITEM 22. FINANCE; APPROVE THE ISSUANCE, SALE AND AWARD OF REFUNDING BOND VIRGINIA RESOURCES AUTHORITY (VRA) SERIES 2016C, AND SET FORTH THE FORM, DETAILS, AND PROVISIONS FOR THE PAYMENT THEREOF IF THE MARKET CONDITIONS DO NOT DETERIORATE TO BELOW 3% SAVINGS ON THE REFUNDING; PROPOSED RESOLUTION R26-252

ITEM 23. PLANNING AND ZONING; A RESOLUTION TO AUTHORIZE APPLICATIONS FOR EXTERNAL LAND CONSERVATION & PURCHASE OF DEVELOPMENT RIGHTS FUNDS THROUGH VARIOUS LAND CONSERVATION ENTITIES TO SUPPORT THE STAFFORD COUNTY LAND CONSERVATION & PURCHASE OF DEVELOPMENT RIGHTS PROGRAM; PROPOSED RESOLUTION R26-247

ITEM 24. R-BOARD; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER A LEASE OF APPROXIMATELY 0.3 ACRES TO TERREVA, LLC ON LANDFILL PROPERTY; PROPOSED RESOLUTION R26-255

ITEM 25. SHERIFF; AUTHORIZE THE COUNTY ADMINISTRATOR TO ACCEPT THE VIRGINIA RULES SUMMER CAMP 2026 GRANT FUNDS FROM THE OFFICE OF THE ATTORNEY GENERAL FOR VIRGINIA AND TO BUDGET AND APPROPRIATE THE GRANT FUNDS; PROPOSED RESOLUTION R26-256

ITEM 26. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR UTILITIES CONSTRUCTION PROJECTS; PROPOSED RESOLUTION R26-198

ITEM 27. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH UNIVAR SOLUTIONS USA, LLC FOR WATER TREATMENT CHEMICALS; PROPOSED RESOLUTION R26-240

ITEM 28. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER ISSUANCE OF WATER AND SEWER DEBT THROUGH LOAN FUNDS FROM THE VIRGINIA DEPARTMENT OF HEALTH'S (VDH) FINANCIAL AND CONSTRUCTION ASSISTANCE PROGRAMS (FCAP) DRINKING WATER FUNDING PROGRAM FOR IMPROVEMENTS AND REHABILITATION PROJECTS AT THE SMITH LAKE WATER TREATMENT FACILITY; PROPOSED RESOLUTION R26-253

Mr. Diggs asked if there were any items that Supervisors wanted to pull from the consent agenda.

Ms. Evans asked to pull Item 20.

Dr. Yeung asked to pull Item 26.

Mr. English asked to pull Item 8.

Ms. Evans motioned, seconded by Mr. English, to approve the consent agenda without Items 8, 20, and 26.

The Voting Board tally was:

Yea: (7) Diggs, Guy, Evans, Yeung, Allen, English, Vanuch
No: (0)

Mr. Diggs asked if Mr. English would like to discuss Item 8.

Mr. English asked how much they had spent on the design so far. He asked if there should be public input on this item or not.

Mike Overton, from Capital Projects, said that there had not been money spent on the actual courthouse design yet.

Mr. English said that he thought they had someone come in and give them an overview of what it would cost.

Mike Overton said that he did a study.

Mr. English asked what was being done with this item.

Mike Overton said that this was the actual design contract for the courthouse.

Mr. English asked how much that would be.

Mike Overton said that the initial contract value was \$9,950,000.

Mr. English asked if that would just give them a design of what it was going to be.

Mike Overton said that it would be the design and construction contract administration for the courthouse facility. He said that that was building design and civil engineering.

Mr. English asked if it was correct that the circuit court could come to the County tomorrow and tell them to build a courthouse, and they would have to do it regardless of whether they had the money or not.

Rysheda McClendon, County Attorney, said that was not exactly how it worked, but the courts had an opportunity to ensure the Board built a courthouse in a timely manner, but there would be a state court process, so it would not happen tomorrow.

Mr. English said that he understood, but the court had the leverage to decide to do that.

Ms. McClendon said that there was an opportunity to proceed, but she thought it would take some time because they would go through a formal court process.

Mr. English motioned, seconded by Ms. Guy, to approve proposed Resolution R26-239.

The Voting Board tally was:

Yea: (7) Diggs, Guy, Evans, Yeung, Allen, English, Vanuch

No: (0)

Mr. Diggs asked if Ms. Evans would like to discuss Item 20.

Ms. Evans asked about the license plate readers.

Darin Ramey, Director of Facilities and Maintenance, said that they did have that capability, but Facilities did not currently use that capability in their system.

Dr. Yeung asked why the County was paying for security installations at the gymnastics facility, considering it was privately owned. She said that they just renewed the lease, and she did not understand why they did not require the property owners to install security.

Mr. Ramey said that it was for protecting their assets and general safety of the premises.

Dr. Yeung asked why the property owner was not paying for the security measures.

Mr. Ramey said that the County had installed the cameras as part of a renovation they did for safety reasons.

Dr. Yeung asked how much that would cost.

Mr. Ramey said that it had already been completed.

Dr. Yeung asked if this was being brought to the Board for approval after it had been completed.

Mr. Ramey said that no, that was just an example of projects for which they had used the contract in the past.

Mr. Ashton said that to clarify, this contract was for future use, such as if they needed to expand the system or replace cameras in the system.

Mr. Ramey said that was correct; it was an on-call, as-needed basis, so this contract would ensure it was available in the future.

Mr. Ashton said that for example, if a camera failed, they would call their contractor to come in and replace it.

Ms. Evans motioned, seconded by Dr. Yeung, to approve proposed Resolution R26-236.

The Voting Board tally was:

Yea: (6) Diggs, Guy, Evans, Allen, English, Vanuch

No: (1) Yeung

Mr. Diggs asked if Dr. Yeung would like to discuss Item 26.

Dr. Yeung said that they had a couple of contracts with the data centers, but she did not see them in here. She asked if there was a way they could know what those were so they did not overlap with some of the others included in the packet.

Chris Edwards, Chief Operating Officer, said that the contract up for vote tonight was a standard engineering contract that they had. He said that in his seven years with the County, this was the third time they had renewed it. He said that any time they did water distribution system upgrades, these were the engineering contracts they had on call as needed. He said that they had completed most of their designs with these contracts. He said that most work with the data centers was separate from this, so it was not included as part of this scope of work.

Dr. Yeung motioned, seconded by Mr. Diggs, to approve proposed Resolution R26-198.

The Voting Board tally was:

Yea: (7) Diggs, Guy, Evans, Yeung, Allen, English, Vanuch

No: (0)

PRESENTATIONS

There were none.

PRESENTATIONS BY THE PUBLIC

1. Jeff Eastland, Rock Hill District, said that he gave this talk at a Planning Commission meeting, but he wanted to reiterate it here to get it on the record because he thought it was very important to them going forward. He said that some of them may know this; some may not. He said that about five years ago, there was an application for a warehouse in the warehouse district. He said that nothing unusual about that on the surface; it was zoned M-1 light industrial and there were other warehouses in the region. He said that this was located about a half mile north-northeast of Centreport and Mountain View toward the airport.

Mr. Eastland said that the problem with this 177-acre parcel owned by Peterson Companies of Alexandria was that it contained two extremely rare, significant, and irreplaceable historic and cultural resources that were under review or consideration for assignment to the National Register of Historic Places through the Virginia Department of Historic Resources. He said that one was the only example of Queen Anne architecture remaining in the County, which needed to be restored, but it could have. He said that however, the developer bulldozed it while it was still under review.

Mr. Eastland said that the other, much more significant, was a large 40-foot rocky outcropping known to local historians as Buzzard's Roost. He said that this large natural rock outcrop was a very high point in the County used by Union soldiers during 1862 and 1863 who were camped nearby at Crane's Corner and Accokeek Creek. He said that telescopes were used to see if the Confederates were advancing on the Capitol. He said that during the months and hours in camp awaiting an invasion that never came, they scratched their names, regiments, dates, and other graffiti into the soft sandstone with knives and bayonet scabbard tips, leaving a remarkable historical collage, a tapestry of history that was not discovered until nearly a century later in what was at that time a very rugged and remote area of the County.

Mr. Eastland said that the National Park Service came out, compared it to people who were camped, and a proffer was supposed to keep it intact. He said that they changed the proffer, and the County allowed them to bulldoze it. He said that they lost a great resource there that could have been a tourism asset, much similar to Little Round Top at Gettysburg. He said that they bulldozed it and retrieved some of the inscriptions for storage to be put in the Civil War park, which was totally out of context. He said that he was so angry at the time that he wrote a letter to the Freelance Star, which they actually printed unedited, where he excoriated the County for destroying their history for the convenience and benefit of out-of-the-area corporations.

2. Salem Waters, George Washington District, said that she wanted to stress the importance of the library system to the community. She said that she had lived here for 12 years and had taken her kids, who were now teenagers, to the library since they moved here. She said that their favorite was Howell Library, where they attended almost every storytime event, and her kids still spent a lot of time there and volunteered. She said that the library offered so much to the community, and taking the budget down would compromise what the library could do for

their community. She said that it would also compromise a lot of jobs, so she asked the Board to please reconsider that decision and think about what the library could do for them.

3. Kristin Maxson, Falmouth District, said that motions were not declared today. She said that this was against the by-laws. She said that one had to motion the direction of the motion, yes or no for a particular subject. She said that her next topic was to approve the work minutes for May 26, 2026 today, and the concern was that they were not labeled as drafts. She said that it stated regular meeting, and this was also against the by-laws. She said that if it was an actual work session, it should mention that it was a work session in the title and also in declaring the file name. She said that today there were directives for a new courthouse building, R26-239, with costs rising in today's packet as a work session item in progress.

Ms. Maxson said that if a Supervisor stated they were not supporting it, the Board should respect that statement and not bully the person who made the decision. She said that the public also felt the bullying should not be directed in any other direction past that. She said that another concern was captured by voting without discussion of title listing, called floating votes. She said that see page 233 of 1,768 today. She said that she understood there was an add-on, so there might be more pages. She said that floating vote was where they voted, and there was no discussion or listing of a title.

Ms. Maxson said that today's agenda directed capital projects authorized for designer engineering services for the Smith Lake Water Treatment Facility Redundant Clearwell Project, R26-235, page 73. She asked what redundant really meant, such as 2-in-1, contract number 22-004-5001-SP-RAMB, dated March 23, 2022. She asked if anybody noticed that projects had been padded recently, perhaps doubled. She said that as an example, in the five-year Comprehensive Plan, South Campus Drive Extension was labeled as Route 1 to Woodcutter Road. She said that this would require a bridge or underpass to I-95, see 4-21 in the Comprehensive Plan.

Ms. Maxson said that also, Kellogg Mill Road Extension was described as Woodcutter Road Route 1 to South Campus Boulevard. She said that it was exactly the same definition. She said that this was a redundant, like the redundant clearwell project. She asked if the second took away from the original project directive. She said that this was a letter to the Utility Capital Management.

4. Shamgar Connors, Hartwood District, said that he would use the Teenage Mutant Ninja Turtles as a metaphor for proof of Jeffrey Epstein colluding with the Democratic Party to provide child sacrifices, and that Donald Trump had been fighting this deep state cabal since the 1980s.
5. Alane Callander, Falmouth District, said that it was often heard that Stafford needed more sit-down restaurants, and equally as often they heard Stafford needed more entertainment opportunities. She said that they had a rare opportunity to get both with a local business looking for a new home. She said that Billiken's Smokehouse was moving out of the historic Chimney's Mansion in Fredericksburg in November and was looking for a new location large enough to handle its smokers, dining and banquet facilities, catering, and musical entertainment.

Ms. Callander said that she hoped Stafford's Economic Development Department was already aware of this and working to find the perfect location. She said that she thought southeastern Stafford would be ideal because it was just over the river from the current location, had a country music tradition, and had a longstanding love for southern barbecue. She said that as a resident of that area, she knew they needed businesses like Billiken's. She said that she remembered reading a comment on Facebook about a family who always stopped there on their travels through the area. She said that they could capture that sort of traffic if their location was here.

Ms. Callander said that she personally enjoyed Billiken's menu and friendly service, and she encouraged everyone to try it, although it currently supported the economy of the City of Fredericksburg. She said that she also wanted to mention her favorite item on the menu, the brisket. She said that they had additional unique offerings for the diet-conscious, brunch enthusiasts, cocktail seekers, etcetera. She asked the County to please find a home for this fabulous restaurant and popular entertainment venue. She said that if not in southeast Stafford, perhaps Aquia Town Center, or near Celebrate would be appropriate.

Ms. Callander said that she also wanted to voice her support of the earlier comment regarding the library. She said that the library used minimal electricity and did not require millions of gallons of water to cool their facilities; they were data centers that benefited the community. She requested the Board to please restore funding to the library.

6. Rick MacGregor, Aquia District, said that in 2010, the state of Virginia said that he was a Patowomeck Indian. He said that they ruled this due to the fact that they had documentation, family, church, land, and other records, that was why they did it. He said that in 2016, the Secretary of the Commonwealth said that there was recent research into family, church, land, and other records that maintained that the lineage to the Tribe was proven. He said that the problem was that nobody could find those records. He said that without those records, somebody lied.

Mr. MacGregor said that he knew they lied because he would have known about it. He said that he would have been one of the ones who would know, and he was kin to those people. He said that it was not they and him, although it sounded like that because he was up here fussing about it all the time. He said that when he started looking into it, his wife and he began looking into it four years ago, and they found out that these records did not exist and this was all a fraud.

Mr. MacGregor said that the word "Pretendian" defined a form of identity fraud that often involved individuals exploiting scholarships, grants, and specialized job positions intended for authentic Native American people. He said that when he first started questioning this, he received an invitation from the Chief who wanted to see their documentation showing that they were not Indians. He said that there would be no third parties invited to this meeting, there would be no audio or video recording at this meeting, and this meeting would be for him only.

Mr. MacGregor said that he would never attend a meeting like that, and he did not think any of the Supervisors would attend a meeting like this either. He said that he knew of some people who attended meetings like that and got shredded. He said that they had been working for four

years now. He said that they actually notified this Board about four years ago when they sent their first concerns to this Board, and they were ignored. He said that about a year, a little over a year ago, they started attending the meetings because they did not respond to their emails.

Mr. MacGregor said that they were not going to stop because this was fraud. He said that since the Board voted to give them a lease, they were supporting it. He said that some of them were law enforcement officers. He said that Helen Roundtree was the leading authority on Virginia Indians. He said that they had a lot of emails and documents. He said that she sent them this memorandum where she and three real, genuine Chiefs said that documents did not show sufficient evidence to recognize these people as Indians.

Mr. MacGregor said that she sent out letters that explained all the reasons and all the research that she had done. He said that she went and talked to Luther Newton's daughter, spent time with them, talked to them, and interviewed them to find out what was going on. He said that she also said that she and one of the original Chiefs went to Bill Howell at that time and tried to warn him, and he ignored her. He said that they had all the documentation for it, and they were going to give it to the Clerk.

Handout was provided to the Clerk and is part of the record with Clerk of the Board in the County Administrator's Office.

7. Jerrilyn Eby MacGregor, Rock Hill District, said that someone recently commented that the Patawomeck were the greatest hoax ever perpetrated on Stafford County. She said that around 1995, a small group of local residents formed what they called the Patawomeck Indian Tribe of Virginia (PITV). She said that in 1998, the Virginia Council on Indians (VCI) determined that they did not qualify as a tribe because they had no records proving Indian descent or continuity. She said that undeterred, in 2010, they appealed to Speaker of the House Bill Howell.

Ms. MacGregor said that they said they had amassed family, church, and land records proving they were Indians. She said that against the VCI's advice, the Assembly recognized them. She said that the PITV could not satisfy the VCI due to lack of records, yet they told the state they had amassed records. She asked where were they. She said that their research found no Patawomeck records after 1666. She said that the Board had asked for them thirteen months ago. She said that if those records did not exist, the PITV lied to the state of Virginia.

Ms. MacGregor said that if the Indian records did not exist, then the PITV were not Indians. She said that genealogical research proved they were white. She said that they had given them some 600 records spanning over 300 years, and there was not an Indian to be found. She said that because of state recognition, the PITV solicited benefits from donors who believed they were helping real Indians; that was fraud. She said that they first contacted him about this in September of 2022. She said that more information followed in 2023. She said that essentially, they were ignored.

Ms. MacGregor said that they began speaking there in May 2025. She said that after that, this Board wisely voted to make a lease renewal contingent upon the group producing the records on which their state recognition was supposedly based. She said that eight months passed with

no records. She said that then, suddenly, the Board decided they did not need records. She asked why the Board would do that. She said that they were recognized because they told the state they had many records.

Ms. Macgregor said that the Board renewed a lease with a group, falsely claiming to be Indians, which may help them get federal recognition. She said that they did this after they had given them exhaustive evidence proving they were not Indians. She asked why they were supporting a fraud. She said that they were doing so in spite of over three years of warnings and a mountain of documentary evidence.

8. Courtney Vanburen said that two years ago, around June 25, 2024, he was appointed to the diversity committee, and as of yet, they had not had any meetings. He said that he wanted to know what the status was on that.
9. Allison Azzara, George Washington District, said that it was ironic, or perhaps hypocritical that white people were demanding paperwork from a group of indigenous people, going back to the 1600s when having paperwork was not really the norm and any paperwork a tribe received from the government was violated in some form. She said that considering that history, she did not know why they would expect members of a tribe to have paperwork. She said that she also wanted to address some of the issues brought up at the work session last week, namely that the developers of data centers were having trouble getting the paperwork they needed for energy usage letters from Dominion.

Ms. Azzara said that they had some difficulty getting the correct experts to participate in their sound studies, and they were not being forthright about the water information that should be provided. She acknowledged it was a heavy lift, but also acknowledged these were multi-billion-dollar companies planning to invest billions of dollars into their data centers. She said that if they did not expect a return on that investment, they would not be doing it. She said that a couple thousand dollars to get an expert to sign off on some paperwork or make a water services agreement available and having a correct load letter seemed like low bars for these types of intensive developments.

Ms. Azzara encouraged the Board to hold their ground and insist they provide what they were supposed to provide based on the ordinances, and that they provide what was necessary based on other requirements and cultural and historical information to ensure they were held to the process. She said that they should not be allowed to go around those processes just because it was inconvenient to them. She said that the residents of Stafford and the governing Board deserved a lot more.

10. Jane Connor said that she was not planning on speaking tonight, but she just heard Rick and Jerrilyn MacGregor talk about the Native American history that they had in Stafford County. She said that she just wanted to tell them a little bit of the information. She said that she knew they had all been to Pratt Park, but she wondered if they knew that Pratt Park dug up a canoe that was built by Stafford Indians and carved out. She said that now, if they wanted to see it, they could actually see it preserved on display at the museum in D.C. She said that Stafford County had rich Native American history. She said that she knew the MacGregors had done extensive historical research, and they should celebrate the history of the County.

11. Will King, Griffis-Widewater District, said that he would like to discuss the nature of what caused a lot of problems caused inside the regional jail within the inmate population. He said that it was true that they were starving people inside the jail. He said that there was an allotment of food mandated and expected, but the jail did not meet it. He said that he started asking some of the current inmates about the situation, and they had provided him with details of what exactly they had been having at the jail.

Mr. King said that on Monday, for breakfast, they had oatmeal, gravy, a dried chunk of bread, and a piece of cake. He said that for lunch on that day, they had one flour tortilla, undercooked hamburger meet, mushy water rice, shredded cheese, beans, and cake. He said that for dinner, it was meat gravy, rice, cake, and cornbread. He said that breakfast the next day was oatmeal, two pieces of bread, syrup, and a slice of bologna. He said that for lunch, they had chili mac, a piece of cake, beans, and a piece of cornbread. He said that for dinner, they had chicken patty, choke bread, cake, and green beans. He said that a lot of fights and disorder happened because of food, and most of the sources of actual food people got were from commissary.

Mr. King said that one packet of ramen cost \$1.10 in commissary, while the grocery store price was \$0.18. He said that they were causing further disorder and committing what was essentially a war crime on people in their local jail. He said that this was not happening over in Iran; this was in their jail. He said that inmates who had been in other federal and state prisons had stated that Rappahannock Regional Jail was the worst place they had ever been. He said that most people imprisoned there were not even going to trial; they were there in pre-trial detainment.

ACTION ITEMS

BUDGET AND MANAGEMENT; BUDGET AND APPROPRIATE STATE FUNDING FOR SCHOOL OPERATING FUND; PROPOSED RESOLUTION R26-260

Andrea Light, Chief Financial Officer said that this item pertained to proposed Resolution R26-260, which would budget and appropriate the additional state funds. She said that the state finalized its budget on June 29, 2026. She said that the School Board called a special meeting on June 30 to finalize a request for their budget and appropriation of these additional funds. She said that the Board was being asked to consider the School Board's request, which was reflected exactly as they requested on proposed Resolution R26-260.

Ms. Light said that the Superintendent and school staff were available there to answer any questions on the need and use of these funds, and she would quickly review the budget and appropriation of these items. She said that in total, there was just over \$9 million in new state funds. She said that about \$244,000 to \$245,000 were for other funds like Governor's School and School Nutrition. She said that there was no request from the School Board at this time and the County did not provide any funding to either of those funds.

Ms. Light said that there was about \$8.8 million to be allocated of the remaining state funds. She said that some of those were one-time funds of \$1.9 million, which could only be used for one-time projects. She said that the items listed were what were provided from the School Board's presentation. She said that there were other restricted funds, at-risk funds of just over \$250,000,

and funds specifically for special education of almost \$2.5 million. She said that again, these uses were listed as the School Board had requested.

Ms. Light said that the School Board also had requested the use of unrestricted funds. She said that there was about \$4.2 million. She said that unrestricted funds did not have to be budgeted and appropriated, but the School Board had requested them for these purposes. She said that they had included returning about half a penny back to the County by reducing their local appropriation.

Ms. Vanuch asked if they were hiring any positions that would fall into future budget years that the state was not going to fully fund in perpetuity.

Daniel Smith, Superintendent of Stafford County Public Schools, said no. He said that the funding that they were asking for that would be used toward positions was recurring dollars, and they would fully fund those positions. He said that none of the one-time funds were being used on any positions; they were only for one-time expenses.

Ms. Vanuch asked if the additional funds given by the state this year would be given every year to pay 100% of their salaries. She asked if none of it would fall back on the County.

Dr. Smith said that that was correct; those were recurring dollars.

Ms. Vanuch said that regarding the unrestricted funds, she saw that they were being used to hire a counselor. She asked if that state funding would be recurring as well, so the County would not have to pick up that funding at some point in the future.

Dr. Smith said that yes, that was recurring dollars. He said that the School Board decided to utilize some of the unrestricted funds for mental health needs in the School Division, which included four counselor positions.

Ms. Vanuch asked if they had considered using one-time funds for 3R projects. She said that some of the items they had listed did not seem like they were emergency-level needs.

Dr. Smith said that yes, that was coming from their end-of-year list that their Board looked at, and they prioritized safety items at the top of that list. He said that they did not have much end-of-year funding, so they were only able to get to one or two of their top items. He said that there were other items listed on that year-end list that prioritized safety and some transportation needs. He said that their Board had already approved that list, so that was the list they looked at for the use for the one-time funds. He said that they did look at the 3R list and saw if there were any more pressing needs, but these seemed to be more immediate needs at this point.

Ms. Vanuch asked if the three new buses would be coming off of their yearly Capital Improvement Program (CIP) list, where they were typically included.

Dr. Smith said that to get on a full replacement cycle for buses right now, they would need about 20 to 25 per year. He said that they had 12 built into their operating budget, so every year they were trying to see if they could buy some with one-time funds to keep up with their cycle. He said that there was about \$1 million that was originally suggested to purchase about six buses, but that was one of the things that was eliminated in order to give about \$1 million back to the County in

terms of the local appropriation. He said that he did not believe the three new buses would be bought with the unrestricted funds; there was an additional \$332,000 in the one-time funds. He said that this would be a one-time purchase outside of their cyclical replacement schedule.

Dr. Yeung asked if the School Board had a work session on this item.

Dr. Smith said that the state funding came so late that they did not have a work session. He said that the state approved their budget on June 29 and the School Board called a special meeting on June 30, where they received a presentation and had discussion. He said that this allowed them to present this item to the Board of Supervisors today.

Dr. Yeung said that she appreciated that the School Board wanted to give some operating funding back to the County. She said that in their operating budget, there were 103 positions, plus eight security officers, 10 para-professionals, 20.5 spec teachers, and four counselors. She asked if contracts already went out for these positions.

Dr. Smith said that yes, the initial contracts had been sent out.

Dr. Yeung said that trying to find individuals at this late stage was probably minimal because everyone was already secure. She asked about the positions that had already been cut and were now being put back in. She asked if the interventionists were rolled into the operating budget when the previous program ended.

Dr. Smith said that they cut two para-professionals for every interventionist, so it was budget-neutral when they put them back into the operating budget.

Dr. Yeung asked if they were adding ten back in.

Dr. Smith said that yes, the idea was there was more differentiated staffing based on needs. He said that they anticipated they were going to get about \$2.6 million in the unrestricted funds, so the School Board made a strategic decision about what things they could defer with that knowledge. He said they could defer paraprofessionals, which they did not have a difficult time hiring. He said that the same was true of the safety and security officers; it was not a licensed position, so it was something they felt like they could defer until they received a state budget.

Dr. Yeung asked if 77.3 of the 103.2 positions would be going to the three new schools.

Dr. Smith said that he would have to double-check that exact number, but he thought it was 112.7 in the original and around 89 that went to the new schools.

Dr. Yeung said that they were hiring 68.5 more after they decided to spend this money. She asked if even with raises, that was coming from the state or if it would be coming from the County.

Dr. Smith said that he had 42.5 positions, not 68.5.

Dr. Yeung said that either way, her question was about whether the increases each year would be funded by the state, or if the County would be providing the raises for these new positions in addition to those already approved.

Dr. Smith said that any increase would follow the same state formula. He said that they knew the state had already proposed a 4% increase for next year, and that would be based on their Local Composite Index (LCI).

Dr. Yeung said that the state would fund the Standards of Quality (SOQ) positions, but not the other positions. She said that the County would have to provide those raises.

Dr. Smith said that it would be part of the additional raises.

Dr. Yeung said that regarding security, she wanted the schools to be covered, but the Sheriff's Office had struggled to fill the part-time School Resource Officer (SRO) positions. She said that this meant the schools had to hire private security guards, and she was wondering if this had provided sufficient coverage or if there was overlap. She said that she had also asked the County Administrator about this issue.

Dr. Smith said that he could not speak to the Sheriff's Office positions and vacancies, but he understood they had an SRO dedicated to each middle school and high school.

Dr. Yeung asked about the Schools' current security vacancies.

Dr. Smith said that the safety and security officers that were being asked for as a part of this budget were all at the middle school level. He said that the middle school SROs were currently the ones that were frequently pulled anytime there was a high school vacancy, and they were also the ones checking on elementary schools.

Dr. Smith said that anytime there was a vacancy or things were happening, middle schools were the ones that were really left without support. He said that they had identified that as a vulnerable area for them and a real need. He said that when they looked around all of the localities around them, they were the only ones that did not have school safety officers as employees at the middle school level.

Ms. Evans said that she had one question about the enrollment numbers. She asked if they had increased or decreased, and if state funding was tied to that.

Dr. Smith said that yes, the state funding was tied to that. He said that for the past several years, they had continually grown faster than the state was projecting them to grow. He said that this was the first year where they were under projection, but they were not far off from what the state was projecting for the budgeted number. He said that they had been projecting 31,931 students for this past year, and their actual enrollment was 31,135, and they were budgeted at 31,550. He said that the Virginia Department of Education (VDOE) and the Governor's budget had budgeted them at 31,299. He said that they knew they would receive fewer state dollars because of this lower enrollment, as the state dollars were based on actuals, so they had been budgeting and making sure that they had funding based on what they thought they would receive from the state and the reduction there.

Ms. Evans asked if they would be getting more funding from the state if the enrollment numbers increased, and if they would get less funding if the enrollment numbers decreased.

Dr. Smith said that some of the funding provided was not tied to the overall enrollment. He said that while they had seen an overall small decrease in their enrollment, they had seen increases in their students' disabilities and their English language learners. He said that those populations had increased, and it cost a lot more to educate those students. He said that this was in part why when they worked with their state legislators and asked for more money for special education, they saw that this budget had provided \$2.5 million for special education.

Ms. Evans asked if special education included 504 support.

Dr. Smith said that the School Board did include 504 support in this budget, acknowledging support was necessary despite it being an unfunded mandate. He said that this request included support at the middle school level because they already had some support at the high school level.

Ms. Guy said that to reiterate, even though their enrollment projection had decreased, they had seen increases in their most expensive students.

Dr. Smith said that that was correct.

Mr. English asked what was the security sandbox.

Dr. Smith said that those were really key boxes for emergency personnel.

Mr. English asked if they had thoroughly assessed the 3R list and determined the appropriate items were being included here.

Dr. Smith said that yes, they reviewed the 3R projects and determined which safety issues needed to be addressed as soon as possible.

Dr. Yeung said that she supported the request. She said that she was wondering if the School Division could consider rounding up the 0.5% to 1%. She stated that she also wanted to note that Howell and Park Ridge libraries directly served their public school students, and any additional funds returned to the County could be considered for the libraries.

Mr. Diggs said that Dr. Smith could not make that decision; it was up to the School Board.

Ms. Allen motioned, seconded by Ms. Guy, to approve proposed Resolution R26-260.

Ms. Vanuch made a substitute motion, seconded by Dr. Yeung, to approve proposed Resolution R26-260, minus a \$2.4 million appropriation back to the County.

Mr. English asked how the return of those funds would impact their 3R projects.

Dr. Smith said that as Chairman Diggs said, he could not speak in terms of the School Board's actions on that. He said that he would note that there were restricted lines here that specifically had to go to special education that had to go to at-risk. He said that the School Board deferred many expenses to try to get contracts out and worked really well with the Board in order to do that. He said that if they looked at the unrestricted funds, that did cut into many of the deferred items, counselors, and utilities increases.

Dr. Smith said that if there was a change in terms of what was approved by the School Board, it would be very difficult to hire additional personnel to start the school year because their next meeting was in August. He said that they would have to consider that and have a special called meeting or do something in order to get closer to the school year. He said that he could not speak to the 3R or where they would go with that based on any additional cuts because he knew they worked through this based on the restricted lines for special education, for at-risk, and the one-time funds in order to come up with what was here today.

Ms. Guy said that since they were having this conversation and trying to get more money from the Schools, she wanted to remind her fellow Board members that there would be a conversation at the end of this fiscal year about the School Division being able to allocate more money back to the County potentially, assuming they had vacancy savings. She said that at the first week of their fiscal year, asking them to cut another \$1.3 million was uncomfortable.

Ms. Guy said that they were uncomfortable when it came to even speaking about how they underfunded the library, so she knew it was uncomfortable to the Schools. She said that for anyone who was considering not voting for that and going with the original, which was what she was going to support, they would be able to have a robust conversation within a few months once they had the vacancy savings.

Ms. Guy said that they could see what that could do because that would bring them down. She said that if they held onto this \$1.3 million that they were allocating now, and they got an additional amount, they could lower the tax rate by a penny next fiscal year. She said that if they were forced to raise it by however many cents, they could lower it by another penny because \$1.3 million and another \$1.3 million would equal \$2.6 million, which was a penny.

Ms. Vanuch said that the reason that she made the substitute motion was that this was additional funding the Schools were not anticipating. She said that making sure that they were allocating the funding back to the County was the right thing to do. She said that they could still implement the cost-cutting measures and look at the vacancy savings in the future, but she guaranteed that the Schools would not provide the county with a proposal next year that guaranteed a one-penny tax deduction. She said that the state was building in a 4% pay raise, and that was probably going to automatically be a 3% increase or a \$0.03 tax increase on residents due to a 4% across-the-board pay raise. She said that there was no way that that was the proposal that came back next year.

Ms. Guy asked if Ms. Vanuch was saying they would not have vacancy savings.

Ms. Vanuch said that vacancy savings was only a one-time saving for this year and it would not lower the tax rate for next year. She said that it did not automatically roll into a tax reduction next year unless they took those positions entirely off the books, permanently reducing the number of positions in the organization.

Ms. Guy asked if staff could confirm what Ms. Vanuch was explaining.

Ms. Vanuch said that they could only reduce the tax rate if they lowered the staffing budget for the following year.

Ms. Light said that in the County budget, if they had savings in the operating budget, it would not increase their available operating funding for the next year. She said that it became fund balance and one-time money. She said that she would imagine if the Schools had one-time vacancy savings at the end of this fiscal year, it would come back to the County's General Fund until it was budgeted and appropriated for a specific one-time use.

Ms. Vanuch said that it would not be a lowering of the tax rate.

Ms. Allen asked what the School Board's request was during the budget process.

Dr. Smith said that he did not know that he had the exact figure off the top of his head, but the School Board had deferred over \$2 million in items that were needed. He said that in their proposal to the Board, they had anticipated \$2.6 million in additional funding from the state. He said that they had \$4.15 in unrestricted funds, with the remainder being restricted to specific purposes. He said that out of the \$1.5 million additional, the School Board had asked to give \$1.325 million back to the County. He said that the \$2 million in deferred items had been reinstated in this proposal because they had planned for this state funding to cover them. He said that again, they were delayed because they anticipated the Governor's budget to pay for them, and that was how they arrived at this point. The total request was \$529 million, the adopted budget was \$525 million, and the County transfer on the original request was \$196.6 million.

Ms. Allen said that the School Division was already giving the County back the extra funding over what they expected from the state, so she did not understand the logic of pulling back an additional amount beyond that. She said that she was not in favor of that.

Mr. Diggs asked if the School Division had made \$2.3 million in cuts.

Dr. Smith said that the \$2.3 million was identified as items they could defer.

Mr. Diggs asked if they got an additional \$4 million.

Dr. Smith said that \$4.15 million was the unrestricted funding.

Mr. Diggs asked if there were 103 positions in the budget.

Dr. Smith said that the original adopted budget from April was 112.7 positions.

Mr. Diggs asked how many positions the County added during this budget cycle.

Bill Ashton, County Administrator, said that two were revenue neutral, plus 12 employees that composed their new fire crew.

Mr. Diggs asked Ms. Vanuch to restate the substitute motion.

Ms. Vanuch said that the substitute motion was to approve the Resolution, giving the County back \$2.4 million in appropriation.

Mr. Diggs called the vote on the substitute motion.

The Voting Board tally was:

Yea: (3) Vanuch, Diggs, Yeung
No: (4) English, Evans, Guy, Allen

Mr. Diggs said that the substitute motion failed, so the original motion returned to the floor.

The Voting Board tally was:

Yea: (6) English, Diggs, Yeung, Evans, Guy, Allen
No: (1) Vanuch

REPORTS BY BOARD MEMBERS

Ms. Allen – stated that she hoped everyone stayed hydrated this summer. She said that she usually talked about what grinded her gears, and this was actually brought up at the last Board meeting during their work session when they discussed the lack of following basic construction practices to ensure that their roads and neighborhoods were safe in relation to the project at Old Potomac Church. She said that after that meeting, she had received several complaints within the district about similar construction projects where subcontractors or construction trucks were not being mindful of the communities they were impacting.

Ms. Allen said that this included aggressively driving on the roads in Widewater. She said that if someone lived in that area, they knew their roads were very narrow and curvy, or they were basically disregarding people's driveways or gravel roads. She said that this spoke to the type of business that they had, and they could not come into their community and conduct business in a way that not only served a purpose in promoting development but was also being a good steward and a good neighbor.

Ms. Allen said that going forward, she did not know how the County would address issues like that. She said that she honestly did not know what they had in their tool belt outside of someone reporting, but her comment was mainly directed to those businesses. She said that they absolutely needed to be better stewards in their community, and if they were not, then they were going to hold them accountable in some way.

Mr. English – stated that he was going to follow suit with what Ms. Allen said because he was getting a lot of complaints with Courthouse Road and Ramoth Church Road. He said that these trucks were just driving down the road and showed a disrespect for other drivers. He said that he believed they were all going from Vulcan over to the data center over there. He said that therefore, he thought something needed to be done. He said that the Sheriff's Office could not be around 24/7 to watch it.

Mr. English said that he was getting complaints all the time about these speeders, and somebody was going to get hurt. He said that he did not know if they could send a letter to STC or to Vulcan, to let them know that they had to be more conscious about what they were doing. He said that Ms. Allen was completely right. He said that since they were going to go on break, he would like to ask staff to look into developing criteria for companies to adopt local parks, particularly because the County was low on funds for Parks and Rec. He said that it would be helpful to be able to

suggest adopting a park as a proffer or condition on some of the developments coming to the County.

Ms. Guy – stated that she hoped everyone had a safe and enjoyable summer recess. She said that looking at the information for the data center items that came later in tonight's meeting, she had to really dig into about 500 pages to find information about the potential graveyards there. She said that she felt that when there were things that they were going to vote on that included cultural sensitivity or graveyards, that should be its own line item and not buried in the staff report. She said that however, the Planning Commission's materials had it separated as its own line item. She said that moving forward, she would like culturally significant items to be provided up-front so they were not glossed over or forgotten. She said that a public comment this evening mentioned that same issue, where historic resources could have been preserved if the County had maintained that as a priority. She said that their natural and historic resources were the most important things they had in the County.

Ms. Vanuch – stated that she could not attend their work session a couple of weeks ago, and she was very appalled to learn that it looked like the Business, Professional Occupancy, and License (BPOL) tax was going to move forward. She said that that was going to go to public hearing probably pretty soon. She said that she had gotten lots of concerned citizens to reach out over that possibility. She said that in Spotsylvania, their Board of Supervisors was trying to get rid of their BPOL tax. She said that the general consensus was that it was going to crush their business growth in Stafford County.

Ms. Vanuch said that as a reminder to her colleagues, the tax was on gross receipts. She said that if one was going to tax a small business, a restaurant, or a local mom-and-pop shop on their gross receipts of even \$1 million to \$2 million and not take into account their operating expenses, that was grossly and absolutely negligent. She said that it was absolutely ridiculous. She said that she would do everything in her power to stop this from moving forward.

Ms. Vanuch said that she wanted to warn the community: they better come out and speak at this public hearing because if they did not, their small business taxes were absolutely going to increase. She said that what was even more appalling was that the data center's increase in tax rate was not moving on a forward trajectory as quickly as their small business BPOL tax. She said that at the bare minimum, they should be looking at a gross revenue of at least \$10 million. She said that if the Board was absolutely firm on implementing a BPOL tax, the minimum should be \$10 million.

Mr. Diggs – stated that he first wanted to say that he was very proud of the diverse attendance for the Fredericksburg Pride event. He said that it was a beautiful thing to see families bring their kids and the diversity of everybody there. He said that getting to talk to people who opposed the event was also important in terms of community. He said that people from other localities and even other states were there, and he was very proud to attend that. He said that he also attended the 250th flag retirement ceremony down in Ferry Farm, at George Washington's boyhood home. He said that it was an amazing event.

Mr. Diggs said that he wanted to highlight something from the Board and perhaps get a poll on how they moved forward. He said that he sat with a resident who lived down off of Colebrook who was having issues with her well. He said that this particular resident had age and experience,

and had the ability to address her well issue; however, there were many people who could not. He said that some of the things that stood out to him was that it would cost about \$25,000 to replace the well. He said that currently, she had to pay \$2,400 to set the tank and \$250 on top of that to rent the tank. He said that it cost about \$300 to get the water in the well, and then the next day the water was gone.

Mr. Diggs said that many residents did not reach out to the County and instead bought water at the store or used other people's houses to bathe. He said that the other striking issue with this specific situation was that it would take ten weeks to four months before a company could come out and fix it, even though the resident could afford to fix it right now. He said that he learned there was a new by-right development in that area, and after they started drilling wells was when a lot of the existing residents started experiencing issues.

Mr. Diggs said that there were a couple of things he wanted to do. He said that there was a moral obligation to fix this and figure out how widespread this issue was in the County as development came in. He asked if staff could conduct a survey of the aquifer to figure out what was going on County-wide. He said that he also wanted to know how many residents were experiencing these issues and if they could use social media or mailings to get a grasp on how bad the issue was currently.

Ms. Vanuch asked how shallow this resident's well was. She said that shallow wells at 40 or 50 feet would eventually go dry and the well had to be dug deeper. She said that this was a risk when buying a house that was not hooked up to County water. She said that if people with very deep wells were going dry, she would be very concerned; at 40 feet it was not uncommon.

Ms. Allen asked what the end goal would be here. She said that it did not make sense to reach out to residents and then do nothing with the information they provided. She said that by asking for their feedback, it set an expectation the County would be doing something. She asked Mr. Diggs what the end goal with that would be.

Mr. Diggs said that he thought that definitely impacted how they developed in the County and where they placed development. He said that he was just informed there was a resident who just purchased a house and everything was fine until they moved in, and they found they had no water. He said that he knew that was the risk they had when they bought property with a well, but they needed to understand how pervasive this was. He said that when talking with some of these constituents who had lived there for all of their lives, as this constituent told him, they raised a family of six across the street and had no water issues through all the droughts.

Mr. Diggs said that it was not until this new development came in that then they started having these issues. He said that there was a problem with the shallow wells in some of the areas, but he thought they needed to have an understanding of what was going on with the water tables in the County as they approved development. He said that that was his ultimate goal.

Mr. English asked staff if there was a County study done in 2000.

Donna Krauss, Deputy County Administrator, said that a third party conducted the study, but Keith Dayton, then Deputy County Administrator, presented it to the Board. She said that the study was used as a reference for how they approached development in the County.

Mr. Ashton said that to understand the study, there were areas of the County that were in better shape than other areas because they were on different plates. He said that some were more pervious, and the water soaked through to go deeper. He said that he thought that was the point the Chairman was trying to get at: should they update this study to have a better understanding of how their geology was underneath the County?

Mr. English said that the land disturbance from development could impact the veins of water in the ground. He said that similarly, he could not be convinced the swamp near Potomac Run was going dry due to drought; he was certain it was because of the data center development nearby.

Ms. Evans asked if information had been shared with Delegate Carroll, who had previously spoken to the Board about addressing this issue at the state level.

Mr. Diggs said that they had been working together, but she had asked for physical space in the County, and he thought staff was working toward that.

Mr. Ashton said that they had not received a request.

Mr. English said that they had not heard back from her regarding a request for space.

Ms. Guy said that she had asked for space if the demand was great enough to necessitate it.

Mr. Diggs said that in terms of what he was asking here, he knew there were a lot of people suffering in silence. He said that he hated that the County did not have a grasp of the severity of the situation. He said that it may not be their responsibility to fix the wells, and he was shocked to learn there were only three companies in the area that did this work, and they were doing new builds before these emergency-level situations. He said that he wanted to make sure they had a good understanding of the issue, which he imagined would require redoing the study.

Ms. Vanuch asked if Mr. Diggs was asking to do the scientific study on the water table and nothing else.

Mr. Diggs said that for now, yes. He said that he also would like to figure out a way to improve communication with residents. He said that they did not have a good mechanism of communicating, so he had no idea how pervasive the issue was throughout the County. He said that he kept getting more and more notifications about these issues happening in more areas, and he felt there needed to be better communication between the constituents and the Board so they knew how bad it was.

Ms. Vanuch said that she supported doing an updated study, which would be good to have considering all the construction that had occurred in the County since that time. She said that if they started reaching out to constituents, they would be looking for solutions, but the County did not have the answers yet. She said that they should do the study first and understand the results.

Ms. Vanuch said that they could potentially utilize Planning and Zoning mechanisms to create overlays for downzoning in certain areas where wells may be prone to going dry. She said that there were certain mechanisms in their ordinances that could prevent this from continuing into the future, but the County should make fact-based decisions from a land use perspective.

Ms. Guy asked how much the study would cost.

Mr. Ashton said that he would need to get a rough estimate and then figure out how to pay it. He said that staff would return to the Board to discuss that.

Mr. Diggs said that he finally wanted to mention that there were three homes specifically in Colebrook that had no running water and their wells were dry, yet these residents had to watch new development come in. He said that it was very frustrating for them to be struggling while their new neighbors watered their lawns.

Ms. Vanuch said that she recalled a by-right subdivision developer was able to run a water line after discussion with the County.

Mr. Diggs said that these were wells, but perhaps the developer could help.

Ms. Allen said that she did not want to set an expectation that the County would take on the financial responsibility to fix the wells, because they did not have the available funding. She said that she was supportive of a study of their water tables and aquifers, but she would not be in favor of anything further than that.

Ms. Vanuch said that she was supportive, but they should get an estimate before moving forward.

Ms. Evans asked that they work with Delegates Carroll and Cole.

Ms. Vanuch said that she also thought the County should give a clear message to developers causing this problem that the County would consider downzoning to protect their current residents on well water, so the developers should seriously consider helping with the situation.

Mr. Diggs confirmed there was consensus from the Board to move forward with a study of the County aquifers and water tables.

PUBLIC HEARINGS

ITEM 29. HUMAN RESOURCES; CONSIDER AUTHORIZING A BONUS TO CONSTITUTIONAL OFFICERS AND THEIR EMPLOYEES, THE REGISTRAR, ELECTORAL BOARD MEMBERS, AND DEPARTMENT OF SOCIAL SERVICES EMPLOYEES; PORPOSED ORDINANCE O26-30 (CONSTITUTIONAL OFFICES, THE REGISTRAR, AND THE ELECTORAL BOARD); PROPOSED ORDINANCE O26-31 (DEPARTMENT OF SOCIAL SERVICES)

Shannon Wagner, Director of Human Resources, said that at the last Board meeting, there was a request to separate this item into two ordinances, which were now before the Board. She said that Ordinance 26-30 would cover a 2% bonus for constitutional offices and their employees, including the Registrar and Electoral Board. She said that Ordinance 26-31 would cover the Department of Social Services and their employees for a 2% bonus.

Ms. Wagner said that the Commonwealth of Virginia had authorized funding to cover a 2% bonus for these employees. She said that she had a summary of the employees by department: the

constitutional offices, the Registrar, and the Electoral Board. She said that they would see the number of positions covered under the Compensation Board compared to the number of positions authorized in each department, and how much state funding they might expect to receive compared to what the County cost would be to extend that bonus to all employees.

Ms. Wagner said that if awarded, the bonus would be provided to any employee in those departments who were hired on or before June 1st of 2026. She said that the ordinance as written would provide that bonus on the employee's current salary. She said that individuals that were Compensation Board-funded were no different than other employees in the same positions that were not Comp Board-funded. She said that when they thought about the department as a whole, it would create inequity if the Board were to decide to provide this bonus only to Compensation Board-funded positions and not the whole department.

Ms. Wagner said that the Sheriff's Office, as an example, included both uniformed and non-uniformed Compensation Board-funded positions in the proposal. She said that there were a few alternative options that she was bringing to the Board; this also came up at the last Board meeting. She said that the Board could consider providing the bonus only to Compensation Board-funded positions at their Compensation Board salary, which was lower than what Stafford County paid these employees. She said that they did provide pay that was higher than the minimum required by the Compensation Board.

Ms. Wagner said that in this example, the amount of the County cost was significantly lower, and the state funding remained the same. She said that alternate option two was very similar; the bonus would only go to Compensation Board-covered positions, not the entire department. She said that the difference was that this would be based on the employee's actual salary, not the minimum Compensation Board salary. She said that Ordinance 26-31, as stated at the beginning, would cover the Department of Social Services.

Ms. Wagner said that this chart highlighted the number of full-time and part-time employees in that department. She said that in this case, the state funding did extend to all full-time positions, and it did include some federal pass-through funding. She said that once the Commonwealth as a whole had made decisions whether or not they would provide this bonus, the state would reallocate any funds by localities who did not provide the bonus to the Department of Social Services, so there was the potential that the funding could increase in this example.

Mr. English asked what it would cost the County to provide the bonuses to all employees in these departments.

Ms. Wagner said that the net cost to the County for Ordinance 26-30, which covered the constitutional offices and the Registrar, was \$568,406. She said that the net cost to the County anticipated for Ordinance 26-31, Department of Social Services, was \$33,909.

Mr. English asked if each department had money in their budgets to cover this, or if the County would have to allocate one-time funds.

Ms. Wagner said that when speaking with the Department of Budget, the likely identified funding source would be the fund balance or one-time funding.

Ms. Vanuch asked if they were considering an option to make the bonuses equal for all constitutional officers regardless of Comp Board funding, or if they were going to select only the Comp Board-funded positions to receive the increases.

Ms. Wagner said that the Ordinance extended to all officers; it would not apply to some officers over others.

Dr. Yeung said that the state decided to give the 2% raise and bonuses. She asked if the issue of equity was due to these state-funded employees being in the same department as County-funded employees.

Ms. Wagner said that the state had provided funding to the County if they were to decide to pass on these bonuses. She said that they would not get the bonus if the Board decided not to pass it along.

Dr. Yeung asked if the County could give the bonuses only to the ones funded by the state.

Ms. Wagner said that yes, that was one option for the Board to consider.

Dr. Yeung asked if that was what the resolution stated right now.

Ms. Wagner said that the Ordinance currently written would extend it to all employees in those departments. She said that it was broader than what state funding would provide; it extended it to anyone within that designated office.

Mr. Diggs opened the public hearing. He asked if any members of the public wished to address this item.

1. Kristen Maxson, Falmouth District, said that they found that today's rising costs, increased base wages, and supply chains made the model have to be sustainable for a working model. She said that the bonus amounts reviewed there were likely the amounts needed by the economic pressures of the current times. She said that she asked if this was addressed during the budget. She said that the witnesses to the external library service were a wonderful example of a bonus to the community.

Ms. Maxson asked if Ordinance 26-31 could help mitigate the impact of the data center technology boom. She asked if the staff could help with this effort through their community involvement and the bonus. She said that wells were going dry, as expressed today. She said that changes to the physical layout of the County and the dynamics of nature were witnessed by the local public. She said that any help was needed there. She said that perhaps a bonus could help staff mitigate the impact on the people.

Ms. Maxson said that as an example, on the 250th 4th of July, Stafford County was under a 104-degree heat dome, amplified by the exhaust traffic corridors and likely heat from the data center alley. She said that the data center boom had impacted northern Virginia, especially local staffing in overtime while trying to help data centers with their amendments and ordinances. She said that this bonus could mitigate some of this environmental impact, well-needed environmental stability to help minimize future impacts.

Ms. Maxson said that on the 4th, the duration of 100 degrees was between 11:00 a.m. and 4:30 p.m. She said that within 30 minutes of 4:30 p.m., a network warning came by and said 80-mile winds would be in the area. She said that these winds burst through Stafford, affecting temperatures quickly to register 74 degrees. She said that this sudden uplift intensity caused direct downward lightning strikes and heavy rains and destructive washouts along Route 1 and the County, all recorded on Independence Day.

Ms. Maxson said that the emergency crews, responders, maintenance staff, and operational supports were needed when lights went dimmer. She said that all must be sustainable. She said that with Stafford overworked by the impact of this data center boom, she asked if a bonus for their salaries could be increased to mitigate the impacts and not compound the impacts against the public. She said that the impact of data center alley, located in northern Virginia, primarily around Ashburn, had been reported to have approximately 633 data centers. She asked if this figure was correct. She said that this area was recognized as the largest data center market globally, and the winds pressed down.

Mr. Diggs closed the public hearing and the matter rested with the Board.

Mr. English asked if this had to be voted on tonight.

Ms. Krauss said that there was time sensitivity to notify the state if they were going to accept the money or not.

Ms. Wagner said that for the constitutional offices and the Registrar, those bonuses must be received by September 30, and they needed some time for administration.

Ms. Vanuch said that she would prefer to have more time to walk through their budget and get more information from Ms. Light to determine the best use of funds. She said that she did not want to give staff bonuses while they were underfunding the library. She said that she understood the time sensitivity, but they had sufficient time to get clarity and additional information on budget impacts.

Mr. Diggs said that it was one way to phrase that. He said that they also just voted to give teachers, school staff, and everyone raises and bonuses there. He said that he did not have an issue with supporting the Schools, but there should be some consideration of equally funding all of their employees.

Ms. Vanuch asked if there was a motion to reconsider that vote then, as it passed 4-3.

Ms. Guy asked what that would change.

Dr. Yeung said that she supported the Ordinance for Social Services, but for the others she felt they should only pass on the state bonuses, not bonuses to every employee. She said that she would not vote for it the way it was now due to the local match.

Mr. Diggs said that every employee was underfunded.

Dr. Yeung said that Social Services, in particular, was underfunded and had significant caseloads. She said that other departments received raises when others did not.

Ms. Evans said that she could make the same case for the Commonwealth Attorney's Office; they had high caseloads and underpaid for the jobs they performed. She said that however, the County had no money to pay them.

Ms. Vanuch motioned, seconded by Mr. English, to defer proposed Ordinance O26-30 until the Board's August 18 meeting.

Ms. Allen said that she would like to clarify that not all of the teachers got pay raises with the state funding the Board just approved.

Mr. Diggs said that he would clarify his earlier comment. He said that there was a bonus included in the request, and the School Board had initially planned to have the conversation about that bonus later.

Ms. Allen said that the bonus Mr. Diggs was referring to did not apply to all school staff, and she would like to make that clear. She said that she did not like this conversation because they were pitting their County departments against one another. She said that they were all underfunded across the County, and the Board must make the difficult decision to pay the difference with the Comp Board positions or not. She said that they did not need to pit different parts of their government against each other to prove a point. She said that she could not see how they could fund the entire request, and she would support funding Social Services as a singular entity due to their workload and impacts to the community.

Mr. Diggs said that he did not think talking about one agency was pitting it against another. He said that their employees were looking for consistency in the Board's decision-making. He said that all of their employees were overworked and underpaid, and that logic should follow through for all of these discussions about salary and raises.

Mr. Diggs called the vote on deferral of proposed Ordinance O26-30 until the Board's August 18 meeting.

The Voting Board tally was:

Yea: (3) Vanuch, English, Yeung

No: (4) Diggs, Evans, Guy, Allen

Ms. Vanuch asked staff where the money for these bonuses were going to come from.

Ms. Krauss said that there was indication from Ms. Light that they would have enough in their fund balance to cover the costs of these bonuses.

Ms. Allen asked what the total cost to the County would be.

Ms. Krauss said that the total cost was \$568,406.

Ms. Vanuch asked when the audit would be finished.

Ms. Krauss said that it would be finished by December 15.

Ms. Guy asked if staff anticipated there would be money left over after the audit was done.

Ms. Krauss said that there was an indication based on their projections and where the revenues were coming in that they would have one-time funds. She said that they could not verify that until the audit was complete.

Ms. Guy asked how much money they had right now in reserves. She said that it was concerning that they may not have this amount available.

Ms. Vanuch asked how they knew they were going to be over when they were only seven days into the fiscal year. She asked if they were under-projecting revenues or using last year's funds.

Ms. Light said that they were actually doing a great job of projecting revenues. She said that when they referred to putting money in reserves, that was cumulatively known as the fund balance. She said that this was composed of assets minus liabilities and changed by their revenues minus expenditures. She said that overall, the General Fund had about \$125 million in reserves. She said that staff felt the amount Ms. Wagner had identified for this item was available, and they would still be able to fill their reserves.

Ms. Allen asked what the request from the library was.

Ms. Light said that it was about \$550,000.

Ms. Allen said that this item cost about \$10,000 more than that.

Mr. Diggs said that he wanted to clarify that the library's request was for recurring funding, while this was a one-time bonus partially funded by the state.

Ms. Vanuch said that the same was true for the Schools item the Board just approved; that amount would be included in their budget for next year.

Mr. Diggs said that he was trying to keep next year's budget in mind as they made these votes.

Mr. English said that he did not think it was fair to only give constitutional officers bonuses when their other employees worked equally as hard. He said that if they were going to do this, it should be for everyone. He said that their employees were valuable, and he did not want to only single out a few of them.

Ms. Evans said that she recalled from her time at the Commonwealth Attorney's Office that the Comp Board rarely gave these bonuses.

Ms. Guy asked how often the people working in this building got bonuses.

Ms. Vanuch said that the County used American Rescue Plan Act (ARPA) and Coronavirus Aid, Relief, and Economic Security (CARES) Act funding to pay County staff bonuses. She said that

they had given bonuses only to public safety and constitutional officers, and other times they had provided a match to all County staff when they had the money.

Ms. Allen said that as Mr. English pointed out, they had people in the same office doing the same job as a Comp Board-funded employee. She said that they had discussed this in the past, where if the bonus could not be given to everyone, it created an issue.

Ms. Vanuch said that only giving the bonuses to some employees and not all could create unnecessary tension between departments, as well.

Ms. Guy said that she would also note that the Staffing for Adequate Fire and Emergency Response (SAFER) grants their Fire Chief was applying for would have to be paid by the County over time. She said that if the positions funded by the grants were approved, the County would need to identify an additional few hundred thousand dollars in the upcoming fiscal year. She said that she brought this up to remind her colleagues of the other costs they would be facing in the future, which ultimately would impact their available fund balance.

Mr. Diggs said that he thought they should think about what was drawing employees to come to Stafford. He said that even with pay increases, they became pay cuts when factoring in health insurance increases. He said that they gave a 1.25% increase, but the rate of inflation was about 3% this year. He said that he wanted to ensure they were doing all they could to attract and retain employees across the board in their organization. He said that he was an all-or-nothing person in this regard, so they could either do it for everyone or they could not.

Ms. Allen asked how many employees would be impacted by these bonuses.

Ms. Krauss said that it impacted 407 full-time positions and 19 part-time positions. She said that the County organization had about 1,100 employees in total.

Ms. Allen said that this meant two-thirds of their employees would not be getting the bonus.

Ms. Allen motioned, seconded by Dr. Yeung, to deny proposed Ordinance O26-30 (Constitutional Offices, the Registrar, and the Electoral Board).

Ms. Guy asked how much it would cost to give every employee a bonus.

Ms. Krauss said that staff provided that last year for the Board, and it was a little over \$1 million.

Mr. Diggs called the vote on the motion to deny proposed Ordinance O26-30.

The Voting Board tally was:

Yea: (3) Vanuch, Yeung, Allen

No: (4) English, Diggs, Evans, Guy

Ms. Evans motioned, seconded by Mr. English, to reconsider the motion to defer Item 29 until August.

The Voting Board tally was:

Yea: (6) Diggs, Guy, Evans, Yeung, English, Vanuch
No: (1) Allen

Ms. Krauss said that when they take up this item again in August, it would be their last opportunity to address this item due to the timeline. She asked if the Board needed any additional information to prepare them for the decision at that meeting.

Mr. Diggs said that he felt they should just make the hard decision instead of kicking the can down the road. He said that they could either deny it or approve it, but he did not see the reason for delaying it until August.

Ms. Krauss said that staff just needed direction for what to bring back.

Mr. English said that he would like to see what it would cost to give the bonuses to the entire County organization.

Ms. McClendon said that because the motion to reconsider was passed, the motion on the floor was the motion to defer to August, made by Ms. Vanuch and seconded by Mr. English. She said that if the Board would like to consider bonuses for all employees, they must hold a public hearing with the necessary public advertisement. She said that staff required direction to advertise the public hearing for an Ordinance consideration in August.

Mr. Diggs asked if Ms. Vanuch would restate the motion.

Ms. Vanuch motioned, seconded by Mr. English, to defer proposed Ordinance O26-30 until the Board's August 18 meeting.

Mr. Diggs asked if the second public hearing and related items would automatically follow, or if they needed to vote on that.

Ms. McClendon said that because it was by ordinance, they would be holding another public hearing in August regardless. She said that if the Board would like the public hearing boundaries expanded to include all County employees, staff needed direction on that because that was not currently what had been advertised.

Ms. Vanuch said that she was supportive of that, and she would ask that staff bring back options ranging from only the Comp Board employees up to all County staff, so they could see all the numbers and would not be limited to only everyone or no one.

Mr. Diggs called the vote on the motion to defer proposed Ordinance O26-30 to the Board's August 18 meeting.

The Voting Board tally was:

Yea: (6) Diggs, English, Evans, Guy, Vanuch, Yeung
No: (1) Allen

Ms. Vanuch motioned, seconded by Mr. Diggs, to defer proposed Ordinance O26-31 to the Board's August 18 meeting.

The Voting Board tally was:

Yea: (7) Diggs, Guy, Evans, Yeung, Allen, English, Vanuch
No: (3) Allen, English, Yeung

RECESS

The Board recessed at 7:25 p.m. and reconvened at 7:44 p.m.

Ms. Evans motioned, seconded by Dr. Yeung, to reconsider the vote on Resolution R26-260.

The Voting Board tally was:

Yea: (4) Diggs, Evans, Yeung, Vanuch
No: (3) English, Guy, Allen

Ms. Vanuch motioned, seconded by Dr. Yeung, to approve proposed Resolution R26-260 with a drawback of \$2.4 million to the County.

Ms. Evans said that she would like to clearly explain the reason she made the motion to reconsider this vote. She said that she felt their County staff deserved the bonuses they had just discussed, and the School Board had confirmed they could afford to give back the amount suggested by Ms. Vanuch. She said that \$1.1 million could be pulled from \$1.9 in one-time funding from the state.

Ms. Allen said that they were assuming the bonuses would cost \$1.1 million, but they did not yet know the final cost.

Mr. Diggs said that he had also talked to his counterpart on the School Board and was told the same as what Ms. Evans had stated. He said that he was supportive of this option to give some funding back to the County while still fully funding the School Division.

Mr. Diggs called the vote on approval of proposed Resolution R26-260 with a drawback of \$2.4 million to the County.

The Voting Board tally was:

Yea: (4) Diggs, Evans, Vanuch, Yeung
No: (3) Allen, English, Guy

PUBLIC HEARINGS

ITEM 30. PLANNING AND ZONING; CONSIDER A PROPOSAL TO AMEND THE "STAFFORD COUNTY, VIRGINIA COMPREHENSIVE PLAN 2016-2036, 2021 5-YEAR UPDATE," ADOPTED ON NOVEMBER 16, 2021, AS LAST REVISED, BY ADDING A NEW SECTION 3.12, "GENERAL GUIDELINES FOR THE SITING OF HIGH-VOLTAGE ELECTRIC TRANSMISSION LINES" AND A NEW SECTION 3.13, "NORTH ANNA-

BRISTERS (KRAKEN LOOP) HIGH-VOLTAGE ELECTRIC TRANSMISSION LINE PROJECT FINDINGS, POLICIES, DESIGNATIONS, AND REQUIREMENTS," REGARDING THE PROCESS AND ROUTING OF HIGH-VOLTAGE ELECTRIC TRANSMISSION LINES THROUGHOUT THE COUNTY; PROPOSED RESOLUTION R26-243

Rysheda McClendon, County Attorney, said that the authority given to consider these Comp Plan amendments tonight came straight from Virginia Code, which allowed localities to designate in their Comp Plan designations for routes and corridors for electric transmission lines that were considered high voltage, specifically 150 kilovolts (kV) or more.

Ms. McClendon said that pursuant to this authority, the Board adopted Resolution R26-159, which referred the Comprehensive Plan amendments to the Planning Commission. She said that on June 10, the Planning Commission held its public hearing of the Comprehensive Plan amendments, recommending approval with a vote of 6-0. She said that the proposed Comprehensive Plan amendments would create a new Section 3.12, which would provide general guidance regarding the designation of routes and corridors in the Comprehensive Plan.

Ms. McClendon said that it would also create a new section 3.13, which would apply the same policies established in the new Section 3.12 to the specific North Anna to Bristers Transmission Line project. She said that the Comprehensive Plan amendments were drafted by outside counsel with support and information from the County's routing and transmission line consultants. She said that they took into account the information and concerns raised by the public, including feedback that was received at the County's town hall.

Ms. McClendon said that the new Section 3.12 general guidelines would provide the following policy guidance. She said that within the Urban Services Area (USA), the area designated for public water and sewer in Stafford County, high voltage transmission lines should be placed on the ground as part of their guidance. She said that also, high voltage transmission lines should be located to minimize impacts to residents, schools, and sensitive land areas.

Ms. McClendon said that the County did not support overhead high voltage transmission lines in areas as planned for residential growth, agricultural preservation, conservation, community service developments, or areas in dense residential populations or near schools. She said that additionally, the general guidance would provide that while promoting and encouraging economic development, it should not be used to promote high voltage transmission lines.

Ms. McClendon said that further, the consideration of routing should be designated as underground within certain transmission corridors as provided in the policy. She said that moving on specifically to the North Anna to Bristers project designation, the Comprehensive Plan amendments would make the following findings. She said that when it came to high voltage transmission lines overhead in portions of the project, it would be inconsistent with the Comprehensive Plan inside the Urban Services Area.

Ms. McClendon said that the high voltage transmission lines in segments five and six would be inconsistent with the Comprehensive Plan given the extraordinary density of residential homes and schools in that area. She said that segments five and six of the project were not designed to minimize visual impacts and environmental impacts. She said that those findings would be

provided in the new Section 3.13. She said that additionally, there was policy guidance when it came specifically to the project.

Ms. McClendon said that the County supported the direct assignment of transmission line costs to the customer classes that created additional costs through the direct assignment of incremental costs for underground placement. She said that additionally, this policy would designate segments five and six of the project for underground transmission line routes in the Comprehensive Plan. She said that lastly, nothing in the plan should be taken to discourage the underground placement of other high voltage transmission lines.

Ms. McClendon said that since the amendments were at the Planning Commission, a few additional changes had been made. She said that one resident commented with concern about the need for the project in her statements to the Planning Commission. She said that therefore, the proposed amendments had been updated to provide an end note to ensure there was no confusion or concession regarding the County's position on the need for their project. She said that that need-based assessment was done by the State Corporation Commission (SCC) in accordance with the State Code, not the County.

Ms. McClendon said that also, when the Comprehensive Plan amendments were first drafted, this was prior to Dominion adding in that second 230 kilovolt line. She said that therefore, the amendment had been updated to address that part of the project. She said that the significance of adding these Comprehensive Plan amendments allowed the County to request the State Corporation Commission to have Dominion respond to the County's Comprehensive Plan and to ask the Corporation Commission to consider the County's Comprehensive Plan when it considered the application Dominion would put forward for the project.

Ms. McClendon said that staff was recommending approval of proposed Resolution R26-243, which would amend the Comprehensive Plan to add a new Section 3.12 to provide general guidance on the routing and designation of high voltage transmission lines through the County, and also a new section 3.13, which would apply the same guidance and policy to the specific project. She said that she also wanted to take a brief moment to provide an update regarding the status of the Dominion project as of today.

Ms. McClendon said that Dominion was still planning to submit its project application for the North Anna to Bristers Transmission project to the SCC in the third quarter. She said that they were currently in the third quarter, which ran from July to September. She said that state code required Dominion to provide notice to the County prior to its submission of its application. She said that state code did not provide a timeframe for when that notice had to be provided.

Ms. McClendon said that based on what they had done in other localities and based on statements made by Dominion, they anticipated probably thirty days' notice before they submitted their application to the SCC once they received that notice. She said that typically, it was provided to the County Administrator, and they would let the Board and public know at that time, and they would place it on the County's website where they were tracking the project for public information.

Dr. Yeung asked if staff had any remaining concerns pertaining to the letters from Dominion that were included in the packet.

Ms. McClendon said that they did not have concerns. She said that basically, when going through a Comprehensive Plan amendment process, one had to reach out to stakeholders and agencies, and Dominion did provide comments back on the proposed amendments. She said that they wanted to ensure that it was clear that the Comprehensive Plan was a guide, and staff agreed with that. She said that they also wanted to make sure that it was clear that they were requesting that SCC consider the Comprehensive Plan amendments. He said that there were some challenges from Dominion regarding the use of "shall" language in the Comprehensive Plan, but staff wanted to ensure this guidance was considered when they reviewed Dominion's application.

Dr. Yeung said that she appreciated all the work Ms. McClendon and her staff did in this process.

Mr. Diggs opened the public hearing. He asked if there were any members of the public who wished to address this item.

1. Kristen Maxson, Falmouth District. July 7, 2026, said that one important staff member said that they were infants to a scenario set forth during a work session. She said that the public responded with the statement, "I hope the parents are close by." She said that the public had asked for the pressures affecting the five-year plan to slow down and change in nature. She said that there were two cycles of R26-243 today. She said that the first one on page 463 was recommended by the committee commission with 10 attachments, and the other on page 508 was empty on recommendation by the committee commissioner with five attachments.

Ms. Maxson said that included in the given copy was Dominion's response letter as Attachment 7. She said that as stated, the main contention concerning the concerns pointed to the County's lack of authority, as previewed by Dominion. She said that Dominion customers should question this opinion. She said that the public of Virginia can say the same to the utility providers in question. She said that there had to be respect to resources and the authority of weather and the limitations of handling energy under a larger energy dynamic, which they had seen during the Fourth of July.

Ms. Maxson said that if impacts could be mitigated, she was for it. She said that respect also must be given to the people who were called upon during emergencies, which was also a limited resource. She said that this restored trust in the process. She said that here in Stafford, Virginia, they addressed data centers before they addressed utility use and maintenance research, which placed the concern of how their policies were situated. She said that the Stafford public was concerned with failing infrastructure on the north and the south of them.

Ms. Maxson said that the impact of Virginia Code 56-46.1 required that any public utility seeking to build a transmission line must obtain a certificate of convenience and necessity from the Virginia State Corporation Commission, which included a review of the project's necessity. She said that the Commission seemed to be in a hurry and lacked transparency to the Virginia public and the staff. She asked how this could turn around for the best of the public here in Stafford. She asked if they were being bullied by an agenda they could not see.

2. Roxy Joyce, George Washington District, said that she appreciated the Comprehensive Plan upgrade specifically to North Anna Bristers proposed line. She said that she was one of those people who was not only very directly impacted by three of the data centers and now what

would be a substation, what used to be put on the North Sisson line; she also had the transmission line running a couple of doors down from her house. She said that she was in a small subdivision with only 13 houses.

Ms. Joyce said that although the plan did a good job of talking about the underground placement of the line, it did not say much about those of them who lived under the umbrella of an existing high-tension line, as far as how it would have to be upgraded. She said that she wondered if it was going to be a parallel line that was added, or if it was going to be interspersed with the existing line. She said that she looked online trying to find out about the easement that would be required, and she saw everything from 75 feet to 200 feet.

Ms. Joyce said that there were at least four houses a few doors down from her that she thought might fall within a 200-foot area, especially if there was a parallel line. She said that she just noticed that the Comprehensive Plan did not seem to address that type of issue regarding where, for those of them who lived under that umbrella so close to an already existing route line and under that high-tension line. She said that this concerned her, and when she had listened to one of the Zoom meetings that Dominion had, she asked the question about what they would do where there was an existing high-tension line and how that would be affected. She said that she did not get as much of an answer.

Mr. Diggs closed the public hearing and the matter rested with the Board.

Ms. Vanuch motioned, seconded by Dr. Yeung, to approve proposed Resolution R26-243.

The Voting Board tally was:

Yea: (7) Diggs, Guy, Evans, Yeung, Allen, English, Vanuch

No: (0)

ITEM 31. PLANNING AND ZONING; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A COMPREHENSIVE SIGN PLAN ON TAX MAP PARCEL NO. 29-80, ZONED B-2, URBAN COMMERCIAL ZONING DISTRICT (PROJECT KNOWN AS COURTHOUSE WEST COMPREHENSIVE SIGN PLAN); PROPOSED RESOLUTION R26-200 (CORRECTED TO R26-187) (APPROVAL); PROPOSED RESOLUTION R26-201 (DENIAL)

Jasmine Bridges, Planning and Zoning, said that she would be presenting a conditional use permit (CUP) for a comprehensive sign plan for the Courthouse West Commercial buildings. She said that this applicant was requesting a conditional use permit for a comprehensive sign plan pursuant to County Code Section 28-12(g). She said that the project was in the B-2 Urban Commercial Zoning District on Tax Map Parcel (TMP) 29-80, which consisted of 28 acres located on the south side of Courthouse Road, east of Austin Ridge Drive, and west of I-95 in the Hartwood Election District. She said that the applicant, Walsh, Colucci, Lubeley & Walsh, P.C. would be presenting on behalf of the property owner.

Ms. Bridges said that the site was currently zoned B-2 Urban Commercial and had remained unchanged since 1978. She said that the surrounding property zones included the right-of-way of Interstate 95, B-2, M-1, R-1, and A-1 zones. She said that the site was currently undeveloped and had been rough graded in preparation for the construction of the approved Courthouse West retail

development, and access to the site was provided by the recently constructed Odin Drive. She said that there were Google Images photos of the existing conditions of the site from two vantage points: one being the North View from Odin Drive and the second being the South View from Courthouse Road.

Ms. Bridges said that the property was located within the Urban Services Area, as well as the Courthouse Targeted Development Area (TDA), where it was designated as mixed use commercial, residential, retail and office. She said that based on these designations, staff found that the proposed conditional use permit was consistent with the goals and policies of the County's Comprehensive Plan. She said that the proposed sign plan included wall-mounted signage on multiple buildings as well as freestanding identification, tenant, and directional signs.

Ms. Bridges said that the development consisted of seven buildings, including a split building, 6A-6B, and parcel 8, which served as a shared open space and common area. She said that the sign plan identified potential sign locations on building elevations; however, final sign quantities and placements may be adjusted during the permitting process, provided they remained within the maximum permitted sign area. She said that window signage was limited to 25% of the window area and did not count toward the total permitted building sign area.

Ms. Bridges said that door, awning, A-frame, umbrella, temporary, and construction signs were excluded from the total sign area calculations. She said that the comprehensive sign plan included charts of the proposed freestanding and wall sign calculations compared with what was allowed under the Zoning Ordinance. She said that the chart highlighted in red text the proposed wall signage that would exceed the allowable square footage and quantity. She said that the applicant proposed 76 wall signs, which was within the 80 sign maximum allowed under the Ordinance. She said that although Parcels 6A and 7 individually exceeded the allowable number of wall signs per building, the total number of all signs across the site remained under the Ordinance limit.

Ms. Bridges said that the Ordinance also allowed a maximum of four signs on a building's front wall and two on each remaining wall for a total of 10 signs. She said that the Ordinance also limited wall sign area to two times the building frontage. She said that across the seven buildings, this resulted in a maximum allowable wall sign area of 2,094 square feet, while the applicant was requesting 6,185 square feet. She said that provided was a depiction of the conceptual wall and window signage from the comprehensive sign plan.

Ms. Bridges said that also provided was an illustration of the conceptual freestanding signage in the sign plan. She said that the proposed freestanding signs complied with the Zoning Ordinance, providing a total of 859.5 square feet of sign area, which was below the maximum permitted 2,584 square feet. She said that the freestanding sign material would consist of natural stone, sheet metal, black aluminum, and cool gray colors. She said that a proposed condition would require all freestanding signs to be constructed of brick consistent with the neighborhood design standards criteria in the Comprehensive Plan.

Ms. Bridges said that staff had proposed several conditions to help offset any potential negative impacts associated with the proposed application. She said that the CUP authorized the signed plan under County Code Section 28-123(g). She said that all signage had to adhere to the approved planned and maximum allowable square footage, and he said that any replacement signage would

be subject to the limitations established in the sign package. She said that all signs must maintain a consistent architectural style, which included any future site rebranding.

Ms. Bridges said that signage also had to comply with VDOT requirements, and no signs may be placed within utility easements. She said that freestanding sign locations may be adjusted as long as visibility, landscaping, and easement constraints were maintained. She said that the Planning Commission voted unanimously (6-0) to approve this project on May 27, 2026. She said that staff supported the CUP and recommended approval of the application with conditions pursuant to Resolution R26-200.

Mr. Diggs opened the public hearing. He asked if the applicant had a presentation.

Jessica Pfeiffer with Walsh, Colucci, Lubeley, & Walsh, said that she would provide some updates on Courthouse West. She said that the Courthouse West development had an improved infrastructure plan that was approved in March 2024. She said that site development under that approved plan was ongoing. She said that since the Planning Commission hearing, the site plan was also approved, and permits had been obtained. She said that provided was a leasing exhibit showing Courthouse West in context with surrounding proposed, approved, and existing developments and land uses. She said that also provided was a leasing exhibit just showing the Courthouse West development. This exhibit showed buildings at executed lease, letter of intent, at lease, and available.

Ms. Pfeiffer said that the two buildings in the front, Pad 4 and Pad 5, had executed leases for national sit-down restaurants. She said that the signage included with this conditional use permit request reflected their needs. She said that Darden, the restaurant brand, was in support of the conditional use permit. She said that this information had been provided to staff. She said that buildings 1, 2, 3, and 6 were at letter of intent. She said that to give an overview of the sign plan, building number one was contemplated to be a hotel.

Ms. Pfeiffer said that this request allowed for enough signage on this building because it could have multi-tenants. For example, if this was a hotel, the applicant would like to see a quality hotel that may have a sit-down restaurant in the lobby, and the conditional use permit would allow for signage for that sit-down restaurant. She said that building number two was contemplated and could be a child care center, building number three could be a bank, and building number four was one of the national sit-down restaurants. She said that the signage shown here was standard brand signage for this restaurant across the United States.

Ms. Pfeiffer said that building number five was the other sit-down restaurant. She said that building six and seven could be for a potential anchor tenant, which had been contemplated in the conditional use permit and provided enough signage. She said that if not an anchor tenant, building number seven could be an office building, so they were building in that flexibility as well. She said that she would conclude with Darden Restaurants provided a letter of support of the conditional use permit, in which they stated that they believed the proposed signage plan for Courthouse West reflected a thoughtful and balanced approach that aligned with both tenant needs and community expectations. She said that with that, staff was supportive, the Planning Commission unanimously recommended approval, and the applicant sought the Board's favorable action that evening.

Mr. Diggs asked if any members of the public wished to address this item.

1. Kristen Maxson, Falmouth District, said that the Commissioners' review on May 27, 2026, Courthouse West Comprehensive Sign Plan, see page 556, meets and bounds, property ID 29-80 was seen. She said that as read from an old reference, said property of Yogi Hospitality LLC and running with said southern variable with public right-of-way of Gallows Road, Route 650 of the following course and distances, etc., more or less.

Ms. Maxson said that this was what was being used to define the property. She said that GIS only showed Gallows Road in Fairfax County. She asked if this was correct. She said that Stafford County had had a surplus of property along I-95, likely taken from farmers when the interstate was built and established in 1957 and left as no man's land in some sort of fashion. She said that little was known about the history of property ID 29-80. She said that records in GIS stated sales did not exist for this account improvements did not exist for this account, land details did not exist for this account, and legal description did not exist for this account, but there was an owner signature within the application, more or less.

Ms. Maxson said that CUP 25156656 dated October 10, 2025. She said that the code title and comments were noted as 28 other, and stated to please refer to the zoning comments, as this was not really a plan or review. She said that the survey dated June 27, 2025, note number two stated that it was prepared without the benefit of a current title report. She said that the water and sewer easement storm drain was labeled instrument 70000022. She said that this was showing improvements on the property going from northeast to southwest on the survey.

Ms. Maxson said that however, these improvements were not there since heavy equipment was currently moving dirt around. She said that the plat survey stamped by engineer June 30, 2025. She said that the most important property was, in fact, the plat book 15, page 146, under the state highway collection. She said that this property was public-owned under highways and was now leaning toward commercial. She said that the agenda was missing sheet three as referenced in Exhibit A in the state highway document.

Mr. Diggs closed the public hearing and the matter rested with the Board.

Ms. Vanuch motioned, seconded by Ms. Guy, to approve proposed Resolution R26-200

(Corrected to R26-187). The Voting Board tally was:

Yea: (7) Diggs, Guy, Evans, Yeung, Allen, English, Vanuch
No: (0)

ITEM 32. PLANNING AND ZONING; CONSIDER A REQUEST TO AMEND THE "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN 2016-2036, 2021 5-YEAR UPDATE," ADOPTED ON NOVEMBER 16, 2021, AS LAST REVISED (COMPREHENSIVE PLAN), REGARDING FUTURE LAND USE DESIGNATIONS AND EXPANSION OF THE URBAN SERVICES AREA BOUNDARY THAT WOULD SUPPORT HIGHER DENSITY COMMERCIAL DEVELOPMENT ON TAX MAP PARCEL NO. 38-126 (PROJECT KNOWN AS AMENDMENT TO THE STAFFORD COUNTY COMPREHENSIVE PLAN - POTOMAC CREEK CAMPUS); PROPOSED RESOLUTION R26-110 (APPROVAL); PROPOSED

RESOLUTION R26-111 (DENIAL)

Mike Zuraf, Director of Planning and Zoning, said that he would give the staff presentation for the next three items. He said that for background, this was a single parcel of 99 acres in the Falmouth District. He said that Joe Jacobs was the applicant and Mark Looney would be there to speak on behalf of the applicant tonight. He said that the site was located south of Eskimo Hill Road, approximately 1,300 feet east of the terminus of Potomac Creek Drive, which was off of Richmond Highway. He said that the entire project site area was zoned A-1. He said that the surrounding zoning districts included M-2 zoning to the north. He said that there were A-1 zoned properties around the other three sides.

Mr. Zuraf said that beyond the immediate adjacent parcels, there were two other residences to the south and east. He said that looking at the zoning history, the subject property was zoned A-1, and it had been that way since before 1978. He said that a preliminary plan for a project named Potomac Creek Overlook was approved in 2007, which contained 24 single-family residences and had not proceeded to any development. He said that looking at the aerial view, the project site was undeveloped and wooded, with the exception of the electrical transmission corridor that passed north-south through the site.

Mr. Zuraf said that site topography dropped from north to south, with approximately 110 feet of elevation change as one headed down toward Potomac Creek on the south side of the property. He said that there were known burials, several with headstones associated with the Seddon family, and indications of twelve or more unmarked burials believed to be of enslaved individuals on the property from that time. He said that he provided an eastern view looking toward the site from Potomac Creek Drive, which was far beyond the woods, and another view looking into the site to the south along the transmission corridor.

Mr. Zuraf said that he would next review the evaluation of the Comprehensive Plan amendment. He said that there were three maps that would be amended as part of this request. He said that Figure 3.1 was highlighting the proposed expansion of the Urban Services Area boundary. He said that the expansion area was represented by the red highlighted area on the edge of the USA. He said that the next image highlighted the existing Future Land Use Map (FLUM), and existing agricultural rural land use was in the majority of this site.

Mr. Zuraf said that the Central Stafford Targeted Development Area was north and west of the site, and the current Urban Services Area was outlined. The amendment showed the proposed expansion of the Targeted Development Area to the east to include the entire project site. The last map that would be changed was Figure 3.13, the Central Stafford Targeted Development Area Land Use Concept Map, which included specific land use recommendations. He said that the majority of business and industry future land use was outside of the current limits of the site. He said that under the proposal, the business and industry land use concept would go on to this property.

Mr. Zuraf said that next, he would review the rezoning and conditional use permit applications. He said that the proposed General Development Plan showed that the project included three data center buildings. He said that they totaled approximately 975,000 square feet of floor area, with a maximum building height of 70 feet. He said that generator yards were internally facing, with the

southernmost generator yard facing south. He said that there would be one electric substation on 5.6 acres proposed, in the northeast corner of the site.

Mr. Zuraf said that the proposed building setbacks would be at 100 feet on the east and west sides of the property lines. He said that the Zoning Code standards required setbacks of 750 feet to the east, south, and west for data centers, and 300 feet in the same direction for the substations. He said that the required 70-foot building setback was maintained to the south. He said that the General Development Plan identified tree preservation areas and landscape buffers on the site as well. He said that 35% of open space was proposed; the Zoning Ordinance required 25% in the M-2 zone in this location.

Mr. Zuraf said that vegetative buffers of 50 feet were proposed along the east and west property lines. He said that the Zoning Code had a standard of 200 feet of buffer width, which would apply to the east, south, and west property lines. He said that a 200-foot transitional buffer toward the southern residential property would be maintained. He said that the Zoning Ordinance standards allowed these reductions to setbacks and buffers if approved by the board as part of a rezoning. He said that the access included a connection off of Eskimo Hill Road via a 60-foot wide access easement through the adjacent Stafford Technology Campus site, and two access points were proposed onto the parcel, and secondary emergency access would be provided through the existing transmission line corridor.

Mr. Zuraf said that with Utilities, most of the parcel was outside of the Urban Services Area; however, the request would place the site in the Urban Service Area where utility expansion was supported under the Comprehensive Plan. He said that the substation would connect to the high-voltage power lines that bisected the site, so there would be no need for expansion of any high-voltage lines in this location. The application details showed how the substation would be screened from view of the eastern property. He said that a load letter application, which confirmed power could be made available to the site, was being processed with Dominion Energy.

Mr. Zuraf said that he would note that Dominion no longer required load letters as part of their process. He said that projects were instead placed in batches based on power supply readiness. He said that several proffers were proposed, which required development of the property in general conformance with the GDP. He said that it allowed for the development of a substation on the property, prohibited several uses that would otherwise be permitted in the M-2 district, required 35% open space, and permitted a maximum floor area ratio of 0.4 per the data center zoning standards. He said that through the proffers, the applicant had requested a modification of setbacks and vegetated buffers, as he had reviewed.

Mr. Zuraf said that the applicant would plant a supplemental double row of evergreen trees to provide screening and buffering along the eastern and western properties if they should develop residentially, and along the southern property with a berm at the site plan stage if it was determined to be needed. He said that there would be a minimum of 29.5 acres of tree preservation area provided. He said that there were architectural design standards required for the data center buildings. There would be an eight-foot-tall security fence provided, and screening of trash enclosures and mechanical equipment was required.

Mr. Zuraf said that proffers required a series of utility improvements and would prohibit the use of potable water as a primary method of cooling these data centers. He said that if daily vehicle trips exceeded 965 vehicle trips per day, the applicant should submit a traffic impact analysis to the County and Virginia Department of Transportation (VDOT), including proposed mitigation methods if necessary. He said that staff did not support this proffer language, which could result in traffic volume surpassing 1,000 vehicle trips per day. He said that this was a limit where they required traffic studies above that point, which would allow the Board to understand what traffic impacts might occur if the vehicle trips were at a greater level.

Mr. Zuraf said that there would be proffered transportation improvements with \$100,000 dedicated to a shared path along the transmission corridor. He said that the applicant would comply with Zoning Ordinance noise regulations. He said that it established Fire and Rescue standards and included a contribution of \$300,000 for the purposes of Fire and Rescue that might be needed in the area. He said that proffers provided a construction management plan. He said that that would be required prior to site plan approval. He said that on historical resources, proffer language established a process to allow for the relocation of the cemeteries in accordance with the state code and Virginia Department of Historic Resource standards.

Mr. Zuraf said that it required completion of a Phase I archaeological study and a Phase II, if necessary, prior to site plan approval. Regarding staff's evaluation of public facility impacts, the traffic impact analysis was not provided because the project was under 1,000 vehicles per day, which was under that threshold. He said that the estimated weekday trips for the amount of data center square footage proposed was 965 vehicle trips per day. He said that as noted, one of the proffers would permit additional floor area, which would push the vehicle trips above 1,000 vehicle trips per day. He said that existing sewer and water surfaces were located along the northern frontage of the site.

Mr. Zuraf said that there was sewer infrastructure located to the east of the site. He said that stormwater management would be managed by new stormwater management ponds. He said that there would be a potential reduction in impacts to Schools and Parks and Recreation with the change of this zoning away from A-1 agriculture. He said that continuing with public facility impacts, there would be no significant impacts on Fire and Rescue or lighting. He said that a fiscal impact study estimated the following economic development impacts from the project.

Mr. Zuraf said that regarding noise, the applicant did provide a preliminary sound study, which included low-frequency sound levels under two hypothetical scenarios. He said that there was a baseline condition with the data center buildings operating without generators, and then there was a condition that included both the data center buildings and generator testing and what noise that might create. He said that this did show some levels above the required 55 decibels. He said that the applicant would need to address this prior to site plan approval and provide additional sound studies that might require modifying the site and building design and incorporating specific equipment and features to reduce the overall sound levels from this use.

Mr. Zuraf said that there was a list of all the Comprehensive Plan recommendations for data center projects, highlighting which items were consistent and which items might not be consistent or partially consistent. He said that to address some of the inconsistencies, he noted that the current Comprehensive Plan amendment would bring the site inside the Urban Services Area, eliminating

that concern. He said that regarding viewsheds to residential uses, the only visible residential uses were two existing homes to the south on the opposite side of Potomac Creek, and those were 2,400 feet away.

Mr. Zuraf said that he would also point out that there were no existing residential uses immediately adjacent and the likelihood of residential development there was minimal given the location and trending development patterns in this area. He said that on the last point, the guidelines required an electric load letter from Dominion, which had now become outdated, as he previously noted. He said that for the conditional use permit request, staff proposed conditions to mitigate potential impacts, as summarized in the staff report. He said that these conditions required the building height for data centers to be up to 70 feet, with another 20 feet for mechanical equipment on the roof, for a total of 90 feet. He said that this would establish a maximum height for substation structures of up to 80 feet.

Mr. Zuraf said that development would generally follow the Generalized Development Plan, and the substation area would be limited to no more than 5.6 acres, substation screening required 12-foot-high evergreen trees at the time of planting, and it would establish standards for as-built drawings and for the abandonment of the substation facility should it ever become obsolete and need to be removed. He said that finally, he would discuss staff's finding and conclusions. Starting with the staff findings for the Comprehensive Plan amendment, there were several positives. He said that the proposed use was more compatible with nearby business and industry land use to the north. He said that there were limited public services in this area to support residential or additional residential development.

Mr. Zuraf said that the corresponding zoning reclassification helped to mitigate some of the more intense development impacts that might be realized, and the proposed business and industrial uses were more appropriate than residential near the Stafford Regional Airport. He said that negatives included that potential traffic generated from the use, if permitted to exceed 1,000 vehicle trips per day, had not been fully evaluated. He said that the approval might support Urban Services Area expansion to the west, which was inconsistent with a Comprehensive Plan policy that discouraged Urban Services Area expansions that might promote further expansion.

Mr. Zuraf said that the positive findings of the reclassification and conditional use permit applications included: the M-2 zoning aligned with the Comprehensive Plan; if the concurrent amendment was approved, data centers and substations fit the industrial pattern in the north; the proximity to transmission corridors minimized the need for additional high and voltage line construction; the expansion of public utilities aligned with the goals and objectives of the Comprehensive Plan; data centers would be more suitable than residential uses near the airport; this supported economic and fiscal goals with high-paying jobs and strong revenue.

Mr. Zuraf said that proffers restricted higher intensity and undesirable uses. He said that there was a commitment to preserve 29 acres of trees and provide 35% open space, and it provided monetary contributions for multimodal transportation and would offset Fire and Rescue impacts. With negatives, there were the combined negative findings for the reclassification and use permit. He said that the proffered floor ratio of 0.4 would yield up to 1,263 vehicle trips per day, which would exceed the vehicle's trip per day threshold that would require a traffic study. He said that the M-2

zoning and the substation might affect nearby property values should they develop residentially under A-1.

Mr. Zuraf said that for the Comprehensive Plan amendment, staff generally supported and recommended approval of the application pursuant to Resolution R26-110. He said that the Planning Commission voted 5-0 to recommend denial of the application. He said that for the zoning reclassification, staff could not support approval until the trip generation or traffic impact analysis requirement was resolved and met the minimum application requirements, and revising the flow rate ratio proffer or vehicle trips per day limits would address the issue.

Mr. Zuraf said that the Planning Commission voted 5-0 to recommend denial of the amendment on May 27. He said that for the conditional use permit, staff was generally supportive of the application and recommended approval subject to the approval of the concurrent rezoning application. He said that on May 27, the Planning Commission recommended approval with a vote of 5-0.

Mr. Diggs opened the public hearing. He asked if the applicant had a presentation.

Mark Looney, Attorney with Cooley LLP, said that he would provide some context on the application to better understand how they arrived at the application this evening. He said that the property that was the subject of the application was roughly 99 acres in size, and it was the subject of a rather long and sordid history with the County. He said that Elm Street Development, through an affiliate called Metz LC, acquired the property roughly 20 years ago. He said that for the better part of 10 years, was engaged in a series of applications and litigation, and more applications and more litigation with the County over the prospect of developing the site with higher intensity residential.

Mr. Looney said that the case ended up before the Virginia Supreme Court, where the court upheld the County's decision to deny the application. He said that at the time that Elm Street was pursuing the residential development, it also had the property immediately to the north, which was now the Stafford Technology Campus (STC) under contract. He said that the residential rezoning proposal that it was pursuing was for both of these areas, and when the residential zoning was denied and ultimately upheld by the Virginia Supreme Court, Elm Street dropped the contract on the other area. He said that that was how the Peterson companies ended up with that area under contract and pursued the development or approval for the development of what was now the Stafford Technology Center.

Mr. Looney said that Metz continued to own the subject area and had been waiting to determine what to do with it based on what happened with the property to the north. He said that he was waiting because access to the subject property was restricted because it was landlocked, and access to Eskimo Hill Road through the STC campus was the only way to access a public street. He said that until the STC project was approved, there was no ability to get access to a public road to this property. He said that as part of the STC's approval a couple of years ago, among other things, a proffer was inserted by the Peterson companies that required the then applicant and now STACK to provide either a right-of-way or an easement through the STC campus to provide access to this property.

Mr. Looney said that the proffer was now in existence and there were site plans processing through the County right now to memorialize the access to the subject property. He said that as Mr. Zuraf mentioned, the current property was currently zoned A-1, which permitted 24 single-family detached houses on it, but their access would only be available to those 24 lots through the STC property, a data center project to the north. He said that there were existing transmission lines that similarly crossed the property, so part of the reason this application was before the Board was that there was an attempt to intensify the residential development, which did not go in the applicant's favor after about a decade, and the County authorized the development of the STC campus to the north and placing data center projects just across the common boundary line with the property.

Mr. Looney said that from a land use compatibility standpoint and from an appropriateness standpoint, the applicant elected to pursue a rezoning application to essentially create like-kind zoning on the subject property as existed to the north on the STC campus. He said that the property to the west was zoned A-1 but was owned by STACK. He said that there was an existing pump station on the property today that served the County's wastewater utility system. He said that STC, as part of its expansion of the reclaimed water system, was adding a second pump station to the property on the west.

Mr. Looney said that this industrial use would magnify and intensify with the second substation. He said that to the east of the property in the green was another piece of property zoned A-1, similarly landlocked, where their only access point was through the STC campus. He said that the Peterson company had a rezoning application currently to add the green area effectively into the STC campus, as this applicant was proposing with the subject area. He said that what was being looked at was essentially an expansion of the STC campus southward to two currently landlocked properties, with a natural buffer to the south of Potomac Creek that would prevent the leapfrogging of that data center development across the creek into a more traditionally residential area.

Mr. Looney said that they were bringing this whole area under one land use plan, reflective of the decisions made to approve the Stafford Technology Center. He said that staff showed a couple of photos, and he had provided a recent photograph looking down into the area from the STC development that was under construction. He said that the closest residential dwelling unit was across Potomac Creek to the south and was roughly 0.4 miles away from the closest proposed data center building with this project. He said that the layout of the three buildings included three data center buildings, 325,000 square feet each, with a proposed substation in the northwest corner of the property.

Mr. Looney said that there would be another substation to the east of the site, so there would be two substations adjacent to one another. He said that understanding that there was a similar application to the east on this property, they were putting essentially like-kind uses next to like-kind uses. He said that in the southern part of the area closest to Potomac Creek there was a large tree preservation area along with protections for Potomac Creek. He said that they were proposing, in addition to other things, a contribution of \$100,000 toward a future shared-use path within the transmission line corridor to be able to create a bit more of a recreational use through the area.

Mr. Looney said that they had requested a modification of the building height to go up to 70 feet with an additional 20 feet of mechanical equipment on top. He said that they were proposing, to the extent it was available, to expand the use of the reclaimed water system that STACK and

Amazon Web Services (AWS) were using on other campuses, but they were limited by the availability of utility service to provide that. He said that whatever else was not provided through that service, they would have to use other cooling methods, most likely closed-loop cooling, but they were not allowed to use potable water to cool the data centers. He said that regarding the noise study, when they adopted their new Zoning Ordinance amendments for data centers, there were two standards that they had to meet: one was a professional engineer standard; the other was a standard for noise technicians or noise professionals.

Mr. Looney said that in their work to try to do the noise study, they could not find anyone locally who had both certifications. He said that one firm called Ramble apparently had someone who was qualified currently to do that, and the County had just authorized a contract with them to be able to provide some noise consulting services. He said that the noise consultant that they used for this project was going to go through the second certification that month in order to further qualify to meet the standard. He said that the point was that it was a bit of a unicorn to find somebody who met both standards currently.

Mr. Looney said that in terms of the application of their new Zoning Ordinance setback requirements, he noted that the property to the west was currently being used for a pump station, and a second one was on the way. He said that to the east, there was a pending industrial rezoning on the property. He said that because of the way the transmission lines were oriented diagonally across the site, in the lower left-hand corner on the third building to the bottom, they did not meet the 750-foot setback to the property to the west. He said that adjacent to the eastern rezoning, to the north they did not meet the 750-foot setback to that property. He said that both of those were currently zoned A-1.

Mr. Looney said that one was proposed to be rezoned and the second one had the two pump stations on it, so they had asked for a modification to reduce the setback below 750 feet to those properties where the orientation of the building made it difficult to meet the setback. He said that to the residential project to the south, they did meet the minimum 750-foot setback; it was actually over 800 feet. He said that they had added a proffer that should either adjacent parcel should develop with residential, it would add extra plantings in order to provide a bigger buffer in transitional screening to those properties.

Mr. Looney said that they talked a little bit about the Eskimo Hill Technology Center and the substation locations. He said that a site section showed to the left-hand side was the location of the closest dwelling unit on the property to the south; in the middle, they saw the proposed three buildings on this campus; and on the far right, they saw the approved buildings for the STC campus. He said that one of the things they talked about a lot with staff was whether they could add berms and other features to the data center site to further screen the buildings. He said that the answer was that they would have to build about an 80-foot berm because the buildings were roughly at the same grade as the residential area to the south.

Mr. Looney said that instead, what they were relying on was the distance between those structures to provide the appropriate screening. He said that next, he would discuss the present cemetery on the property. He said that Elm Street Development, through its affiliate Metz, had acquired the property roughly 20 years ago. He said that they did not find out until after they acquired it that there was a cemetery located on the property. He said that County staff identified it or made the

applicant aware of the presence of the cemetery. He said that there were three headstones or tabletops that were reflective of people who were buried on the property.

Mr. Looney said that the tabletops were just as they sounded; they were effectively four legs with a slab laid on top of it that had inscriptions for the people who were buried in that location. He said that they would see from the provided photos that one of the slabs had lost the legs underneath it and rested on the ground. He said that there were what looked like logs, which were the legs from the tabletop on there, and the tabletops were cracked in parts. He said that they did not know how or when they came to be that way. He said that these photos were taken recently when Elm Street hired an archaeologist to investigate the limits of the cemetery, meaning how big it was or its dimensions, and to identify the number of people who might possibly be buried in the cemetery.

Mr. Looney said that this was not what people typically pictured in their minds when thinking about a cemetery. He said that this was an abandoned cemetery, and in the 20 years that the applicant had owned this property, no one had approached them to visit it, and no one had come onto the property to investigate the cemetery until the applicant hired its own archaeologist to do so. He said that next, he would talk about what happened under Virginia law when one found an abandoned cemetery on private property. He said that one requirement before doing any land-disturbing activities was that one must delineate the cemetery.

Mr. Looney said that this involved conducting an investigation to determine, as he had said earlier, the outer limits of where there were potential burials on site and to identify the number of potential burials that might be on site. He said that that involved, among other things, using what was called ground-penetrating radar. He said that it was just like using a metal detector, except one was using radar to be able to see what one could understand beneath the surface of the ground. He said that based on the results of the investigation that had been completed to date, they thought the earliest of the three burials that they were aware of on the site, meaning because there were headstones with inscriptions on them, was roughly 200 years ago, in the early 1800s.

Mr. Looney said that this meant that whatever bodies were placed under those tabletops had been in the ground for more than 200 years, which meant that when one did the ground-penetrating radar, one was unlikely to find human remains any longer. He said that they had been absorbed into the dirt. He said that they had potentially had things piled on top of them. He said that animals may have come in and tried to dig up what was there. He said that one just did not know. He said that one was not looking for human remains when one was that far away in time from when the burials actually took place. He said that instead, what one was looking for was evidence of a burial: grave shafts, depressions in the ground, and soils that were different subsurface than they were at the surface.

Mr. Looney said that this was an indication that one had burials of a potential burial within that burial ground. He said that once they had identified the outer limits of that, there was a requirement under state law to be able to effectively fence it off and mark the limits of the cemetery so that the next person who came in and wanted to conduct some activity knew what the limits of the cemetery were. He said that similarly, this allowed for the protection of that cemetery from other activities that would occur, and he said that there was a requirement to put a buffer on the outside of the limits of the cemetery. He said that there was also a requirement under state law that if there were

individuals who met certain criteria, such as people who were descendants or heirs of people who were potentially buried there, they had to provide them access to the cemetery.

Mr. Looney said that if there were people who wanted to conduct genealogy research, there was a requirement under state law that they allow them access to the cemetery. He said that all of this was also reflected in the local cemetery ordinance; once they knew this was there, they were obligated to follow it. He said that in terms of delineation, in terms of access, and in terms of buffer from peripheral development around the cemetery, all of that was governed by state law and by the County's local Ordinance; they had no option but to follow it. He said that to the extent that there were human remains, the cemetery must be relocated to a different and perhaps more appropriate location.

Mr. Looney said that the way that process worked, and he had been involved in a couple of these through his career, was that one created a disinterment plan and a reinterment plan. He said that one notified potential next of kin, ran advertisements in the newspaper, made a filing with the circuit court. He said that then a judge ultimately held a hearing, took testimony and evidence from the next of kin and from the proposed consultants who had developed the disinterment and reinterment plan. He said that then the judge ultimately either approved the relocation or disapproved the relocation. He said that if the judge approved the relocation, then they oftentimes imposed conditions on where they relocated them and the circumstances under which they relocated them.

Mr. Looney said that what one was supposed to do to further preserve the cemetery and make it available to the public once it was relocated was done by the court. He said that if the court disapproved the relocation plan, then they were back to preserving it in place, delineating it, protecting it, and providing access to those who met the statutory criteria for getting access to an abandoned cemetery. He said that none of this was within the control of the applicant in terms of the process that was required for those things; they were prescribed by law. In this case, they had proffered that their preference, given where they thought the location of the cemetery was and its limits based on the research that had been done to date, was to relocate the cemetery elsewhere on the property in order to provide even greater buffers around the cemetery than was required by the ordinance and to appropriately be able to potentially memorialize or honor the folks that were or were buried there at some point in the past.

Mr. Looney said that in the event that they could not secure approval to relocate, then they would essentially preserve it in place, reduce the amount of development that would occur around it in order to meet the buffer requirements and the requirements of the Cemetery Ordinance, and then proceed with the rest of the development. He said that they had in the proffers that they had to follow either what the court said or what the Ordinance said. He said that they just did not know what that was until they got deeper into the delineation process and began to figure out exactly what the plan would be.

Mr. Looney said he would next discuss the vehicle trip generation associated with this project. He said that there was no dispute on the applicant's part as to what the staff's desire was in all of this. He said that the applicant was just trying to avoid the need to come back before this Board at some point in the future, should the end user on this project decide to add an element or a feature to the development that generated a few more trips than what was contemplated. He said that there was

a requirement that if a development project was going to generate more than 1,000 vehicle trips per day, a formal traffic impact analysis (TIA) had to be submitted. He said that in this case, 975,000 square feet of data center use generated 965 trips, which meant they did not have to submit a TIA as part of the application.

Mr. Looney said that if they went to the full 0.4 FAR of data center use, it would generate 1,265 trips in total. He said that what they had done with this was that they had said that their maximum permitted vehicle trips was 965 per day. He said that in the event that, at some point in the future, the end user wanted to add a deli into the building and it became an accessory use, they went to permit that as a separate use. He said that it was a deli to serve the employees, but if it was permitted as a separate use, then now there were two use categories in the building. He said that if the deli added more than 35 trips, going from 965 to 1,001, they would have to come in and amend the zoning to add the deli.

Mr. Looney said that what they had proffered was this: in the event that they added the deli or its equivalent, and the total number of trips generated by that extra use was above 1,000, then they would submit the TIA and make whatever improvements were required or recommended by the TIA. He said that if there were no improvements, that was great. He said that if there were improvements and they could not make them, then they were not allowed to add the deli. He said that they were not trying to get out of making transportation improvements. He said that he did not want to force an applicant to come in to add 36 trips to the site.

Mr. Diggs asked if any members of the public wished to address this item.

1. Jeff Eastland, Rock Hill District, said that when this item was before the Planning Commission, he made a statement that while he had grave concerns about the environmental impacts near Potomac Creek because any kind of disruption near their waterways had severe downstream impacts, he was not against it per se, and that was wrong. He said that he would like to change that statement. He said that if corporations could change their proffer statements all the time, he could change one sentence. He said that he was going to correct that and say he was against this vigorously for a lot of good reasons, not the least of which was Potomac Creek, one of their three big creeks, along with Aquia Creek and Accokeek Creek, that formed an integral part of the Native American, colonial, and Civil War history of their County.

Mr. Eastland said that there was a lot of activity along these waterways. He said that there were artifacts, arrowheads, and Native American artifacts dating as far back as 10,000 years, as well as Civil War relics and artifacts resulting from 140,000 soldiers who camped in the area for two years during the Civil War. He said that they did not even know what lay along there. He said that House Bill 153 and Senate Bill 94 just went into effect on July 1, which required a site evaluation for historic resources, which the County must follow due to it being a Dillon Rule state.

Mr. Eastland said that they were moving the development down the creeks. He said that they were changing the goalposts, moving the Targeted Development Area, and the Urban Services Area, down the creeks. He said that that was a serious mistake. He said that he had read the application, the proffer statements, the impact statements, the staff reports, and the GDP, and he had spoken with the staff. He said that he realized that because it was not close to heavy

residential, the applicant had complied with the standards. He said that while they could commend them for their effort, just because the site met minimum requirements did not necessarily mean they needed to build an invasive, polluting, disruptive, and destructive site like a data center.

Mr. Eastland said that they were not appropriate when there were human stories and history to be told and environmental concerns. He said that he hoped they all had seen Mrs. Jackson's presentation last month regarding the 94-year-old resident, Brooke, who knew some of the Johnson enslaved family descendants. He said that it was the best talk he had ever seen in this chamber. He said that he had a problem with the cemeteries being disturbed, particularly enslaved people's remains being disinterred, disrupted, disturbed, dug up, and dispatched. He said that all the while, they were allowing corporations to erase who and what they were here. He said that while they were cutting down the trees, fouling the creeks and rivers, exterminating the wildlife, bulldozing their resources, and despoiling the land. He said that this place was getting uglier by the minute, so he would like to see some course correction.

2. Anita Dodd, 149 Tackett's Mill Road, said that she was there tonight representing the Stafford County Historical Commission and the Stafford County Cemetery Committee. She said that both the Historical Commission and the Cemetery Committee had been following the progress of the proposed Potomac Creek development. She said that this project contained cultural resources important to the cultural and historic heritage of Stafford County. She said that the Seddon family had established their home there in the early 18th century, and Seddon family members had held local, state, and federal positions throughout the 18th and 19th centuries. She said that along with their home and outbuildings, a family cemetery had been created. She said that this cemetery was a rare example of family and enslaved individuals buried together.

Ms. Dodd said that they did not see that in the South very often. She said that the proffers for the proposed development regarding the cultural resources on the property seemed vague to the Commission. She said that the Historical Commission had put together a detailed list of recommendations regarding this treatment of these cultural resources. She said that these recommendations included references to the Stafford County Cemetery Ordinance as well and had been given to the Stafford County Cultural Resources Specialist to be included with her presentation to the Board.

Ms. Dodd said that however, their Cultural Resources Specialist had been told not to attend this meeting. She said that Stafford County was designated as a certified local government, and this action was in direct conflict with the requirements of that designation. She said that the job of the cultural resource specialist was to report on cultural resources and be available to answer questions concerning them. She said that the Stafford County Cemetery Ordinance required that public access be provided for visitations by family members and other interested parties, such as researchers.

Ms. Dodd said that she found that it would seem very difficult to do that with this project, especially if the data center went in. She said that she understood these were secure properties, so she was not sure how they provided public access to the cemetery. She said that as far as moving the cemetery, it was required that they advertise that they planned to do so and that they got family members to be able to address the situation. She said that it was her

understanding that several family members had already expressed their desire that the cemetery not be moved.

3. Alane Callander, Falmouth District, said that she thanked Mr. Eastland and Ms. Dodd for excellent remarks. She said that she would also like to compliment Mr. Zuraf and the gentleman representing the applicant. She said that those were all excellent presentations. She said that she was still trying to learn about this project. She said that she wished she could have asked questions. She said that she would like to know where the landfill was in relation to this. She said that coming up from her home in Falmouth tonight, rather than just coming up Route 1, she took Potomac Run up to Eskimo Hill and took a left. She said that she thought maybe this project was on the right, but when she headed out to Route 1, she saw the tremendous devastation already caused by these data centers going in.

Ms. Callander said that she could not support any more data centers. She said that there were arguments made for this location, for this data center, and she understood that. She said that given the destruction they were already seeing, and to care for the Potomac Creek and the wildlife, they needed to preserve tree cover, even just for temperature regulation and air quality. She said that she did not think they should expand the urban services area. She said that she did not think they should expand the Urban Services Area. She said that in the little bit of reading she did, it looked like the power supply was uncertain. She said that they should not have to move their cultural resources. She said that enough was enough with these data centers, and she requested the Board to say no to this application.

4. Kim Taylor Wilson, representing the Architectural Review Board, said that she wanted to thank Supervisor Guy for mentioning that the cultural resources needed to be preserved, and this needed to be brought to the Board's attention. He said that this was one of the things that they really wanted on that committee. She said that she was going to speak about this cemetery from a historical perspective, beginning with the simple truth. She said that the people buried, though the cemetery may have been degraded, slabs may have been lying everywhere, and an unmarked grave of Stafford County lived; they were not property, though the law once called them so.

Ms. Wilson said that they were not items in a ledger or tally marks in a census that refused to record their names. She said that they were mothers, they were fathers, sons, daughters, people who woke before dawn who loved, who grieved, and who themselves grieved for those who laid them to rest. She said that when they talked about preserving their graves, they were not arguing over dirt or property lines. She said that they were deciding whether they would finally acknowledge that they were human. She said that for African Americans, these sites carried a weight that was hard to convey to anyone who had never had their family history taken from them. She said that slavery did not steal labor and freedom.

Ms. Wilson said that it stole names, it stole records, and it stole the thread that let persons trace themselves back through time. She said that families were sold apart; surnames were withheld or erased. She said that in a burned County like Stafford, where courthouse records may have been destroyed, the paper trail thinned. She said that for many of them, a grave was not one source among many; it was the only source. She said that it was the simple, tangible proof that an ancestor stood on this land, worked it, and was buried in it. She said that to move that grave

or to pave over it was to cut the last cord connecting a living family to the people they came from.

Ms. Wilson said that this was why erasure was not a neutral act; it was a second injustice. She said that enslaved people were denied dignity and life. She said that to bulldoze their resting place for a warehouse of servers repeated the same logic that harmed them. She said that treating human beings, once again, as obstacles in a way of profit, as property to be relocated to someone else's convenience. She said that they had seen this pattern play out across Virginia and the South. She said that graves were discovered, their significance was quietly downplayed, and it remained before anyone thought to look for the families. She said that each time, the message to Black communities was the same: that their dead mattered less. She said that preservation was how they refused that message. She asked the Board to consider what these grounds told them.

5. Allison Azzara, George Washington District, said that one of the most frustrating parts about this application was that it should have been a straightforward application, but it was not. She said that it was not because the applicant and the developers neglected to do some basic due diligence. She said that they were fighting over what the traffic analysis for 35 trips that the County had asked for was. She said that they had not really done a sound analysis the way that was required in the Ordinance. She said that 9C said they had to do a background analysis, not just one before development, but a pre-development analysis in which they had to look at the conditions before the development.

Ms. Azzara said that the fact that this person did not know when they purchased the property that there was a cemetery on the property should also include that Virginia was a buyer beware state. She said that if she had to be a buyer beware because her septic tank was not up to code and she had to bear that cost because she was not told that, and this property owner needed to bear the responsibility of taking care of a cemetery. She said that it was not abandoned; it was on private property. She said that the idea that this somehow negated their duty to preserve history and to make sure that those people who were buried there were honored in an appropriate way was wrong.

Ms. Azzara said that they had fully acknowledged that they could have done a completely different site plan that would have avoided this from the start and they would not be here. She said that they could have done a traffic analysis, a sound analysis, and a better site plan. She said that they knew the cemetery was here. She said that all of this they could have taken care of in their proffers and the way that they designed the site and the way that they connected it to the STC site. She said that she thought this went to her earlier comment to the Board to hold them accountable. She said that this could have been avoided if the developer had done the right thing, the right way, the right time, and followed that process.

Ms. Azzara said that he knew they talked a lot about other processes, but those processes for cemeteries, for moving things, for going to court, were not necessary in this case. She said that only because they had designed them that way was why they were necessary. She said that it was completely avoidable and should have been avoided. She said that this would have been a lot better than the application currently was. She said that it would have done a lot more in the case of representing responsible development, taking into consideration the culture and the

history of Stafford County and its residents. She said that he hoped that the Board would hold the applicant to task.

6. Kristin Maxson, Falmouth District, said that regarding the Potomac Creek Campus, the statement given today by a Commissioner shared the fact that a staff Commissioner was told not to be present at a hearing was the wrong action by a misinformed individual. He said that staff members were part of the public and had the right to participate in hearings. She said that this was an infringement of civil rights, and the public heard this concern today. She said that witnessing was an important personal civil right. She said that typically, projects should not control the Comprehensive Plan. She said that projects should rather file an appeal.

Ms. Maxson said that a Supervisor stated that it was illegal to landlock a property of a buildable nature, in the August 19, 2025 meeting. She said that Potomac Creek was tied to the Stafford Technology Center in many ways. She asked if STC was too big in the scope for the five-year plan. She said that there was no traffic or utility plan set forth for the public for the Potomac Creek Campus and there was no load letter information. She said that the Potomac Creek Campus agenda was on pages 703, 760, 849 and 897 of 1,768 pages were empty and should say "Pages Empty" in large letters. She said that this was before the add-on.

Ms. Maxson said that campus was a misunderstood term in use. He said that it was stated that the STC would have 50 generators. She said that this did not resemble a campus or friendly school environment for Potomac Creek. She said that the Potomac Creek agent was not numbered with the application, so it had no page number. She said that the application page and the application page number were not consistent. She said that applications submitted with another application, ARC24155947, were for the Potomac Creek Campus.

Ms. Maxson said that regarding the Potomac map amendments, the last slide showed that it had an effect on neighboring properties. She asked if these neighboring properties would see the effect directly to R26-200, or if this was a premature five-year boundary plan. She said that there were eight copies of the application and the GDP attachments, and she asked why. She said that the hearing may have been incomplete. He said that the attachments seemed mismatched to the subject.

7. Rick MacGregor, Aquia District, said that his dad was turning 90 this month and had seen a lot of changes. He said that like Ms. Callander said, it was appalling to see that scar they had over there right now for that data center, and this was going to be another one of those things. He said that like the lady said, it seemed like that cemetery was abandoned, but that was not a known fact. He said that the descendants of enslaved people who were there may not even know that was their cemetery. He said that he did not agree with the insinuation that it did not matter. He said that he had watched numerous grave sites bulldozed away in this County, and it was appalling.

Mr. MacGregor said that as Dr. Azzara said, buyer beware applied here. He said that the property owner should have known. He said that a lot of other people knew it was there, including himself and surviving family members. He said that saying that because it had been 200 years no one would care was incorrect; he personally cared. He said that he cared about those people who were buried there. He said that they did care as historians; they cared about

Stafford's history, and that was part of Stafford's history. He said that he was appalled that their Cultural Resources Specialist could not attend tonight's meeting, and they should look into whether or not she had been told not to come.

8. Jerrilyn Eby MacGregor, Rock Hill District, said that she had been a historian in Stafford County for most of her adult life. She said that she was now 72 and had been writing, publishing, and researching Stafford's history for 40 years. She said that she cared about every person that was buried in that cemetery. She said that to say that it had had no visitors in 20 years was not true because she had been there. She said that she went there with the cemetery committee, and one of the descendants showed them where it was and led them out there. She said that the Seddon family came into Stafford in the 1600s. She said that they were very active in Stafford, and they commenced acquiring the land that became Oakland's in the early 1720s. She said that the last Seddon that she was aware of who lived on that property left in the 1850s.

Ms. MacGregor said that they were affluent for the most part, with farmers, government officials, merchants, and bankers. She said that they were white people of means, and they were living on that property for a long time. She said that this meant that they had enslaved workers; they knew that and there was no question about that. She said that her problem with this application was that there was a suggestion that there was some number of graves of enslaved people here, and she did not think that number was accurate. She said that they were upper middle class for generations, and to say that they lived there for all those years and there were only seven burials or only twelve burials did not seem logical.

Ms. MacGregor said that her problem was that there may be slave burials on that property, and they did not know where they were. She said that it was wrong to bulldoze them away as though they did not matter. She said that they did matter; they were Stafford residents just like everyone else. She said that she absolutely opposed this application. She said that as her husband had said, this was just appalling.

Mr. Diggs closed the public hearing. He asked if the applicant had a response to public comment.

Mr. Looney said that to clarify, they were not proposing to bulldoze over a cemetery. He said that it was the farthest thing from the truth. He said that they knew that it was there. He said that the applicant knew that some number of burials, still undetermined, existed on the property. He said that they had been transparent through this process about the fact that the cemetery was on the property. He said that they were now in the process of conducting the archaeological elements of the cemetery delineation to get better information about what was there and then similarly to find out who was there.

Mr. Looney said that obviously, they knew the Seddon family was the owner of the property, and they suspected, as some of the speakers had talked about, that there were other enslaved individuals buried within there. He said that none of that was new, nor were they hiding from that through this process. He said that instead, he was struck by what a speaker said about the identity of these people who might have been, these individuals who might have been buried on the property. He said that a number of speakers talked about how that was unknown to all or many of them. He said that it meant that, as a result, there was no way to properly honor them or to educate others about who lived on the property and who might be buried there.

Mr. Looney said that as they had gone through this process, from the Historical Commission to the staff and others, it struck them the other day that no one had really asked them to try to identify or to be able to honor the folks who were buried there. He said that some of them were buried on the property more than 200 years ago. He said that the likelihood that there were actual human remains there was remote. He said that instead, they were presented with a couple of different choices at the moment. He said that one choice was to preserve the cemetery in its fully delineated location. He said that it was an option and certainly one that they would be available and able to do through this process.

Mr. Looney said that they were required to do that; it was not even a choice. He said that the second was to try to see if they could relocate the graves to a different location on the property. He said that those were the two choices that were presented. He said that Mr. Zuraf had talked earlier about that with the by-right development of the property with 24 single-family detached lots, they still had to delineate the cemetery, but it could be in the backyard of a single-family detached house, which did not make sense, even though there were other family cemeteries in that condition in other parts of the County and other parts of Virginia.

Mr. Looney said that what they had the opportunity now to do was to try to bring identity, to bring effectively life back to the folks who were buried on the property by helping to tell their story. He said that whether they told their story by preserving them in place and trying to tell their story that way, or whether they relocated them elsewhere on the property and tried to tell their story that way, that was a decision that ultimately a court was going to make, or they were going to say they wanted them to proffer to preserve it in place. He said that but either way, he thought, the larger point of the conversation was they had an opportunity now to try to tell their story because they had an applicant before the County who was in the process of learning that information and could make that available to the public.

Mr. English asked where the cemetery was located in relation to the planned buildings.

Mr. Looney said that it was in the general location of the eastern side of the middle building, which was building two.

Mr. English said that he remembered back when he found a grave down there off Potomac Run Road, and the Smithsonian came down there to verify everything. He said that it took them days to dig it out, and they could figure out how long it had been there because there was stuff left from the casket. He said that however, they really could not tell a whole lot. He said that the applicant had mentioned using radar to identify the graves, but he felt it would be impossible to find because the remains had fully decomposed and absorbed into the ground.

Mr. English asked the applicant to consider whether they would want their own family or their relatives' graves to be removed for a data center development.

Mr. Looney said that obviously he was not in that position, so he could not speak firsthand necessarily, but he appreciated what Mr. English was saying. He said that he thought what they were trying to figure out was that they wanted to do the right thing by this process. He said that he did not think there was a most obvious answer for everyone, but one answer was to preserve it in place. He said that they could and would do that if that was what was expected of them, either by

the court or by the Board. He said that the other option was to separate from the proposed use and cordon it off and give it its own location within the property in a way that did not intermingle it with the development, whether it was a single-family detached house or whether it was an industrial use.

Mr. Looney said that it was really a question of what the proper thing to do in this case was. He said that that was why the state code provided this process where a judge took evidence that was not just himself standing at the podium or members of the public talking. He said that experts in the field were getting involved, and the correct course of action would be determined once they had the full information about who might be buried there, once they had the full information about the extent of the burials, and once they had more full information about how many enslaved individuals were there. He said that the reason that court process existed was to weigh that evidence and make a decision.

Mr. English said that they did not currently know how far the graves extended throughout the property. He said that he did not see how they could come to the conclusion that they would section off everything.

Mr. Looney said that one thing to note on this was in terms of investigating the limits of the known burial ground that they were aware of. He said that the applicant was out on the property with one of the consultants, and they were looking at certain depressions in the field or in the woods area around where it was located. He said that there were depressions in the ground that this archaeologist could understand. He said that the archaeologist's interpretation was that the depressions were essentially a wagon road or a road over which wagons traversed, and that this would, just as it might today, create a barrier between where the limits of the cemetery would be relative to the road or anything else. He said that part of this was relying on the experts who were trained in this field to be able to understand where things were.

Mr. Looney said that if they went out into the field and figured out that they were looking in the wrong direction, they would go in the other direction to try to find the information. He said that the second part of this was that they had a separate proffer unrelated to the cemetery that required them to do a cultural resource study for any land disturbing areas. He said that therefore, anywhere they were proposing to disturb the land as part of the development, they had to do a cultural resources study. He said that among other things, that included going out and digging hand trenches every so many feet to conduct subsurface investigation to find whether artifacts, evidence of a house, or evidence of other outbuildings.

Mr. Looney said that this investigation was done utilizing available County records, including any plans or maps. He said that it included genealogical research. He said that it included deed reviews and other matters, and then a physical investigation of the property. He said that if that physical investigation, even outside of where they thought the cemetery or where they knew the cemetery was already, found evidence of something else elsewhere on the property and it turned out to be a burial site, then they had to do the same thing there that they would do in the other area.

Mr. Looney said that even if they found graves outside of where they thought they were located, they were still bound by the same obligations as for the cemetery where they knew that it was today. He said that it was not like just because they did not find it in the one location where they

knew it was that they were somehow off the hook to bulldoze over burial sites should they find them during the other cultural resource study that was required on a large portion of the balance of the property.

Ms. Vanuch asked why Mr. Looney had suggested a hypothetical deli as the potential future additional use on this property. She said that she did not know of any other data centers that included a deli.

Mr. Looney said that the deli was an example of what would be possible.

Ms. Vanuch asked about the higher intensity uses that could go there that had not been proffered out.

Mr. Looney said that what he was suggesting was that they were capped at 965 already. He said that to the extent that they were to add a use on the site that would push them above 1,000 trips, then they would have to do the TIA. He said that if the TIA recommended road improvements or other improvements in order to accommodate the traffic, such as if they needed to extend a right turn lane and a left turn lane on Eskimo Hill Drive in order to accommodate the additional vehicles that were required as a result of whatever use change occurred within the buildings, and STACK did not give them permission to extend the right turn lane, or there was not enough right-of-way available to extend the left turn lane, if they could not make the improvement that was recommended by the TIA, then they could not add the trips.

Mr. Looney said that that was what the proffer said. He said that it did not permit them to just go ahead and install the use regardless. He said that if there were mitigation measures required as approved by their Transportation Department and VDOT through the TIA process, if they could not make the improvements, then they could not add the use or the square footage. He said that the reason they suggested this approach, as he had said earlier, was not for the reasons they had talked about. He said that if they developed three data center buildings, they were highly unlikely to add another use onto the site. He said that the reason he suggested it was not that they were trying to avoid the TIA; it was that coming back and amending the zoning, to come back in through this process for an additional sixteen-month process to add a small amount of square footage or to add an accessory use to the site was something he was trying to avoid.

Ms. Vanuch said that Mr. Looney had made another comment about adding residential uses in the future. She said that they had discussed increasing the buffer if there were residential uses on the adjacent properties. She asked why they were talking about houses going on the property to the east.

Mr. Looney said that right now, that parcel was zoned A-1, the same as the subject parcel. He said that it was also landlocked and got access from Eskimo Hill Drive through STC.

Ms. Vanuch asked if that parcel could ask for a higher density residential zoning like R-1.

Mr. Looney said that they could. He said that there was a pending rezoning at the moment to similarly do M-2 to add additional data centers onto the green. He said that what they discussed with staff and had added to the proffers essentially said that in the event that the green was not rezoned to M-2 or to another industrial use, when they went to get their occupancy permits for the

first building in the blue, at the time they went to get the occupancy permits, if the green was still zoned to permit residential development, then they would install the extra buffers.

Mr. Looney said that the adjacent property to the west was currently already being utilized for the pump station and was going to get a second pump station. He said that it nonetheless was still zoned A-1. He said that if the CEO of Stack wanted to come in and build his home on that property anytime within 10 years of the occupancy of the first building on the blue site, then they would have to add the extra landscaping as a buffer. He said that any decisions made on those other parcels would be separately decided by the Board in the future based on the merits of those applications. He said that if for some reason the site to the east remained zoned A-1, they wanted to ensure there was a proffer in place to address that.

Ms. Vanuch asked if they did not bring these properties together in tandem because it would trigger a TIA.

Mr. Looney replied no; it was because they had no relationship to the green.

Ms. Vanuch asked if that was someone else's property.

Mr. Looney said that that was correct.

Mr. Looney said that Peterson Companies, who was the applicant for the other parcel, was also the applicant for STC before they sold it to STACK. He said that Peterson had been looking at what STACK was building and what they were proposing here. He said that they could see that the two substations were next to one another and there was coordination with respect to the two rezoning applications.

Mr. Looney said that he did not represent Peterson, but he presumed that Peterson was not looking at this with the expectation that they would get approved and they would get denied and they would be building a single-family detached house on it. He said that they had tried to coordinate the future development based on the two applications, but they had provided a contingency that should the green never be rezoned and it stayed zoned agricultural with residential permitted, they would add extra buffers and extra screening on their side to address it.

Dr. Yeung asked how far the creek was from the site and how much water was flowing through it.

Mr. Looney said that he had not admittedly been out to look in Potomac Creek. He said that he assumed that there was water flowing through there. He said that it was about 755 feet to the creek, give or take, from the building to the creek itself.

Dr. Yeung asked about the trees that would be added for screening the building height.

Mr. Looney said that there were two different things that they were doing. He said that there was a resource protection area (RPA) for Potomac Creek on their property, but this was not reflective of Potomac Creek and the RPA that was on the adjacent property to the south. He said that their RPA would be preserved entirely, and then area in the middle of the site would be graded for building pads. He said that additional landscaping and buffering would be provided against the buildings on that side. He said that the site section addressed the residential property to the south,

which actually sat a little bit higher than the proposed finished floor elevation of the data center buildings.

Mr. Looney said that there was little landscaping that they could do on their side of the property line up against the buildings in order to screen the buildings from view 0.4 miles away. He said that the best screening technique would actually be to install landscaping on the residential property to the south. He said that they had reached out to them to try to talk with them and received no response. He said that that was roughly 0.4 miles away, about 2,200 feet.

Dr. Yeung asked about the location of the cemetery in relation to their proposed buildings.

Mr. Looney said that as of today, they knew it was located within the first quarter of the middle building.

Dr. Yeung asked if it was too late to redesign the middle building to accommodate the cemetery.

Mr. Looney said that what was likely to occur was that they would cordon off that portion of the property to isolate the cemetery, fencing and delineating it, and find a way to provide access into the site. He said that they would have to work on a plan to keep the data center secure while allowing access to the cemetery site.

Dr. Yeung asked if they only could get into this site from STC.

Mr. Looney said that that was correct. He said that they would have an obligation to provide access to a delineated list of individuals, next of kin, descendants, and heirs, and genealogical researchers. He said that they would have an obligation to provide access to that group of individuals to provide access to the site. He said that he thought the ordinance actually required a public access easement in addition, but that was only on the portion of the property that they controlled.

Mr. Looney said that they could not force STC to provide similar access. He said that if they were a guest or invitee of them based on the proffer that they had, then they probably would have unrestricted access. He said that they could not compel them to give public access on their property.

Ms. Evans asked if this was the only site that had remains, or if there was a possibility that remains could be all over the entire site.

Mr. Looney said that they knew that there was a cemetery in the location in red that he had circled on the map. He said that as part of the cultural resource study, separate from the delineation of the existing cemetery, they had to take certain steps, including digging hand trenches and a few other things. He said that if at some point they determined that there were additional potential burial sites on the property, then they would have to investigate those, too. He said that for now, the only thing that they knew was the area in red that he had circled, but if they were to find other burial sites as part of the further cultural resource study, then they would have to treat it similar to the way they were treating this.

Mr. Diggs asked if the applicant had any contact with the descendants, family members, or if there was anyone they were aware of.

Mr. Looney said that no one had contacted them. He said that there was one person at the Planning Commission who indicated that she was a descendant of a subsequent owner of this property. He said that regarding the Seddons, the report that was being worked on now suggested that the Seddons lost control of the property sometime in the mid-1850s. He said that their understanding was that the father left the property to children in order to settle his debts. He said that the property was ultimately sold.

Mr. Looney said that a descendant of a subsequent owner, the Johnston family, if he remembered correctly, came to the Planning Commission saying that an ancestor had owned the property. He said that however, they had not had any direct contact from people who had said that their own descendants were buried on the property.

Mr. Diggs asked if he heard correctly that the applicant would be open to a proffer to leave the cemetery in place.

Mr. Looney said that the applicant was struggling with what the right choice was here. He said that yes, Mr. Diggs heard him correctly that if the Board preferred to be able to resolve whatever uncertainty there was as to what the right choice was with this, that was one of the options they would consider.

Mr. Diggs said that if that was on the table as a proposal and that was something that he was willing to commit to, that would be the only way that he could see moving forward in this. He said that in full transparency, his mother was an unmarked grave. He said that he was very emotional about it because he was thinking about what that felt like to him the first time to go back and could not find a grave. He said that this was very important to him, and he could not support it if they were going to do anything outside of that. He said that he heard Mr. Looney talk about honoring them and telling their story, and he thought that was really important as well. He said that he would hope that AWS and Stack would all agree with that.

Mr. Looney said that to be clear, this was unaffiliated with AWS.

Mr. Diggs said that he knew that, but he was saying generally, they should have conversations with them as well because it was important. He said that many people said they loved history, but the County did not have the money to repair these places and make them a place for people to visit and learn. He said that he hoped they could do that as well. He said that they should not only avoid moving the grave sites, but should also honor them and tell their stories.

Mr. Looney said that he appreciated that. He said that one of the things that State Code provided is for the appointment of a trustee to manage cemeteries that had no other caretaker. He said that there was a process by which a trustee could be appointed to do exactly what Mr. Diggs was describing, which was to try to make sure that places like these did not fall into disrepair over time. He said that it took diligence to do it, and frankly, they were a little surprised when this first surfaced that this cemetery was not listed on the County's identified list of cultural resources in the Comprehensive Plan.

Mr. Looney said that there were other resources that were listed, and this was not one of them. He said that it was not to fault anybody for that, but it apparently never rose to a point of prominence or whether enough attention was called to it over time to cause it to be. He said that if nothing else,

this process helped identify the circumstances of this and elevated its status and stature. He said that they were trying to do the right thing here, but they had struggled with what the right thing to do was given the choices that they had. He said that he took Mr. Diggs at his word and if that was certainly the preference, they were open to preserving it.

Ms. Vanuch said that staff had recommended denial, and one of the specific reasons stated in the staff report was the potential traffic generation from the land use had not been fully evaluated. She said that that was really concerning for her. She said that also, the biggest piece for her was that they were changing the Comprehensive Plan and expanding it, therefore opening up more opportunity for data centers to spread in areas that they were never intended to be, so she would not support this.

Ms. Vanuch said that she appreciated Chairman Diggs trying to come up with a solution, but from what she had heard from the Cemetery Committee and the other speakers, in the way in which enslaved individuals were buried, there was no way they could know where the confines of that cemetery were right now. She said that for her, to just assume that it was in this box so they were going to mark that, and then to surround those individuals by massive data centers did not make sense. She said that for all of those reasons, she would be voting for denial this evening.

Ms. Vanuch motioned, seconded by Ms. Allen, to approve proposed Resolution R26-111 (Deny).

Ms. Evans asked if the Board would be supportive of deferring this application to allow the applicant to conduct a full investigation of the site.

Ms. Vanuch said that she did not think they could make them do an investigation, and she was unsure of the timeline, considering there was a time limit for the application.

Ms. Guy said that the only way she would support this application was if there was an investigation. She said that her great-grandma was born in 1898 on the plantation her parents were enslaved on. She said that they did not know where they were buried, but 200 years later, the exact location did not matter because it became hallowed ground when one knew their people were there. She said that she did not know where half of her people were, but their resting places were hallowed ground. She said that she would assume white folks felt that way too, so she would need a full investigation of the site before supporting it. She said that she was not against development or data centers; she wanted the money, but she could not support this.

Ms. Evans said that she understood they morally could not do that. She said that she would again ask the Board, if the applicant was able to do an investigation, that they give them the opportunity.

Ms. Guy said that she would agree with that. She said that whatever time limit was necessary and whatever way staff could be directed to help in getting it done in the best, easiest, most ethical way possible, she would be supportive of.

Ms. Vanuch said that they were already at the time limit on this. She said that she would like to know how long they would extend it, considering it may take as long as a year to do the investigation.

Mr. Zuraf said that the time limit extension request that they had later tonight on the agenda was to July 31, 2026.

Mr. Diggs said that they may need to extend it beyond that. He asked if the applicant would be willing to do that in order to complete an investigation.

Mr. Looney said yes. He said that they thought it would take another month to six weeks to complete the work that was already underway. He said that they had folks who had been visiting the property already, and they thought it would take another month to six weeks to complete the investigation of the limits of the cemetery, see if there was anything else there, and produce the report.

Mr. Diggs asked who received a copy of that report.

Mr. Looney said that assuming the proffers were approved, they had proffered that it would be provided to the County and Historical Commission, and they could make it available to whomever the Board directed it to.

Ms. Vanuch said that they needed to be specific in what they were asking for. She asked if they wanted the Smithsonian to come down and look at this, or for the Historical Commission members to do the investigation. She asked how accurate it would be.

Ms. Evans said that the applicant had to complete the review, but an archaeology report should also be done to make sure they looked at the entire site and confirm whether there were remains just in that area. She said that if there were remains in other areas, they needed to know, which was why she wanted a complete investigation.

Ms. Vanuch said that she believed Ms. Evans was referring to the study the applicant would perform during the site plan stage, but she forgot what that specific study was called.

Mr. Diggs said that he had no issue with it being supplied to the Historical Commission and the Board. He said that there was a transparency piece to this issue for the public and for the Board as decision-makers, and he believed that was what Ms. Evans was getting at. He said that he supported that.

Ms. Evans said that the reason she was asking about this was because if there turned out to be graves all throughout the site, it became an important historical resource for Stafford County, and they needed to preserve it.

Mr. Looney said that the Virginia Department of Historic Resources had a list of prequalified consultants who were independent and available under state regulation to be able to do these things. He said that the individuals that the applicant had hired an archaeologist and a genealogist, both of whom had been qualified by the VDHR to conduct these things. He said that they would finish that process and then provide the information to the County and to the Historical Commission. He said that with respect to the rest of the property, the area containing the graves with the tabletop markers were all overgrown; there was a lot of clearing that had to be done to get down to the dirt in that location.

Mr. Looney said that to the extent that they could expand the study to include the rest of the property, there were places where, because of trees that had grown through the property, they did not know what was left. He said that he thought they knew that there were three known markers that gave indications of other markers, and there were other things that these professionals would do. He said that he did not know the process that these professionals would use to investigate elsewhere on the property, but he doubted it would be as invasive in these other places simply because it was physically overgrown. He said that they could give them the direction that this was what the Board was asked to do: to try to make sure that there were no other places on the property that could be done.

Mr. Looney said that the other thing that they could potentially do was that, during the land disturbing activity process for the development, there could be a plan in place that should unanticipated burial sites be identified, that there was a treatment that went with that. He said that that even after the study was done, if they found something on the property that they had to stop and figure out what to do about it at that point, too.

Ms. Evans said that she was going to ask about that as well. She said that they should consider what they would do after receiving the results of the investigation. She said that if they did not put data centers there, they needed to determine what they would do with this area.

Mr. Diggs said that it was private property right now. He said that if they were not going to allow them to develop with a data center or housing, as a County, they needed to have a conversation because they were making somebody pay taxes on that land. He said that as a County, they then needed to have the conversation about finding money to purchase the land and put it into whatever state they needed to.

Dr. Yeung said that they could consider putting it into their land trust. She said that with regard to the Seddon family, their family cemetery was off of Ramoth Church Road. She asked if they knew whether the names of the slaves buried on this property were named Seddon.

Mr. Looney said that he did not know the answer to that. He said that there were three Seddons on the property, but he did not think they knew the names of anybody else yet. He said that that was part of the reason why they had a genealogical researcher as part of the consultant team that the applicant had hired.

Dr. Yeung said that based on the topology and time period, she was wondering if they could see where the house had been located, where the slave quarters were, and where the cemetery was. She asked if they could recreate that.

Mr. Looney said that they should separate the cemetery from the other cultural resources piece. He said that the other cultural resources such as houses and outbuildings would not be identified as part of the cemetery investigation.

Mr. Looney said that he thought that there was an open question as to whether the house was physically on this part of the property. He said that that was part of the cultural resources piece that would come separately. He said that when the Johnston family sold the property, it went to a different family, who then divided it into five different parts. He said that this application was four of those five parts, and it was possible that the house was on the fifth part that was not part of this

particular site. He said that part of the cultural resources investigation would be to try to identify the location of the house to the extent that it was on this property. He said that it would be part of a separate study independent of the cemetery.

Dr. Yeung said that if there were any families that came forward, there should be some form of reparation or accommodation with regard to the cemetery. She said that she understood no one had come forward yet, but they should be open to the possibility.

Ms. Evans motioned, seconded by Dr. Yeung, to defer the application to allow the applicant to conduct a full cultural resources investigation and bring the results back to the Board, the Planning Commission, and the Historical Commission.

The Voting Board tally was:

Yea: (4) Diggs, Guy, Evans, Yeung
No: (3) Allen, English, Vanuch

Mr. Looney said that to clarify, they would be bringing the results of the report back to the Planning Commission for informational purposes, not to repeat this process.

Mr. Diggs said yes.

ITEM 33. PLANNING AND ZONING; CONSIDER A PROPOSED ZONING RECLASSIFICATION WITH PROFFERS, FROM THE A-1, AGRICULTURAL ZONING DISTRICT TO THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 38-126 (PROJECT KNOWN AS POTOMAC CREEK CAMPUS); PROPOSED ORDINANCE O26-13 (APPROVAL); PROPOSED RESOLUTION R26-112 (DENIAL)

Ms. Evans motioned, seconded by Dr. Yeung, to defer the application.

The Voting Board tally was:

Yea: (4) Diggs, Guy, Evans, Yeung
No: (3) Allen, English, Vanuch

ITEM 34. PLANNING AND ZONING; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT FOR MAXIMUM BUILDING HEIGHT OF ANY DATA CENTER BUILDING TO BE 70 FEET, AND TO ALLOW A PUBLIC FACILITY/UTILITY, SPECIFICALLY AN ELECTRICAL SUBSTATION, BOTH IN THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 38-126 (PROJECT KNOWN AS POTOMAC CREEK CAMPUS); PROPOSED RESOLUTION R26-113 (APPROVAL); PROPOSED RESOLUTION R26-114 (DENIAL)

Ms. Evans motioned, seconded by Dr. Yeung, to defer the application.

The Voting Board tally was:

Yea: (4) Diggs, Guy, Evans, Yeung

No: (3) Allen, English, Vanuch

RECESS

The Board recessed at 10:15 p.m. and reconvened at 10:28 p.m.

ACTION ITEMS

ITEM 38. PLANNING AND ZONING; CONSIDER REQUESTS TO GRANT TIME LIMIT EXTENSIONS FOR VARIOUS ZONING RECLASSIFICATION AND CONDITIONAL USE PERMIT APPLICATIONS (PROJECT KNOWN AS POTOMAC CREEK CAMPUS, SHEETZ AT ENON ROAD, CELEBRATE VA - TOWN CELEBRATE AND BLAISDELL DATA CENTER); PROPOSED RESOLUTION R26-245 (APPROVAL); PROPOSED RESOLUTION R26-246 (DENIAL)

Mike Zuraf, Director of Planning and Zoning, said that Resolution 26-245 would extend the time limits that were established in the Code for development projects that were currently in the review process. He said that the Resolution identified the proposed and requested time limit extension. He said that the first project on the list was Potomac Creek Campus, and their requested time limit extension was July 31, 2026. He said that based on the discussion of the project earlier this evening, that would likely need to be adjusted to a later date and the applicants were present to provide an alternate date for the Board's consideration.

Mr. Zuraf said that the other projects on the list included the sites at Enon Road, which was requesting a time limit extension to January 27, 2027. He said that the Celebrate Virginia - Town Celebrate rezoning was requesting a time limit extension to January 20, 2027. He said that the Blaisdell Data Center rezoning and conditional use permit were requesting an extension to February 26, 2027. He said that of these cases, the sites at Enon Road might go to the Planning Commission on August 26, 2026. He said that the other two, Celebrate and Blaisdell, may be a bit further behind, but were progressing.

Ms. Vanuch asked if Mr. Zuraf could expand on the reasons for the extension requests.

Mr. Zuraf said that for the Sheetz at Enon Road, they were waiting for the fourth submission and were expecting it soon. He said that with Celebrate Virginia, it was a hefty project and staff was a bit behind on that one. He said that they were waiting on the third submission from the applicant for the Blaisdell Data Center, and they expected that soon.

Ms. Vanuch asked if they were really responsive.

Mr. Zuraf said yes; they had regular meetings with the applicant.

Mark Looney, representing the applicant of Potomac Creek Campus, said that they had originally requested July 31, 2026 because they knew tonight would be the public hearing. He said that they would like to instead extend that out to October 31 of this year, giving them time to prepare the reports they had asked for.

Ms. Evans motioned, seconded by Dr. Yeung, to approve proposed Resolution R26-245, with the extended date of October 31, 2026 for the Potomac Creek Campus application.

The Voting Board tally was:

Yea: (5) Diggs, Guy, Evans, Yeung, Vanuch

No: (2) Allen, English

REPORT OF THE COUNTY ATTORNEY

Rysheda McClendon, County Attorney, said that she had no report this evening.

REPORT OF THE COUNTY ADMINISTRATOR

ITEM 35. CAPITAL PROJECTS QUARTERLY REPORT (FOR INFORMATION ONLY)

Bill Ashton, County Administrator, said that the Capital Projects Quarterly Report was provided to the Board at their seats that evening. He said that it was just information only; no oral report was given.

ITEM 36. COMPREHENSIVE PLAN UPDATE REPORT, PRESENTED BY BRIAN GEOUGE

Brian Geouge, Assistant Director of Planning and Zoning, said that he would be providing an update on their effort on the five-year update to the Comprehensive Plan. He said that he last reported on this back in April, and he had provided a summary of the project timeline as a whole. He said that they were about two-thirds of the way through at this point, and since he last provided an update, the Planning Commission subcommittee and staff had drafted most of the edits of the Plan. He said that the primary focus over the past couple of months had been community engagement. He said that they had completed both a survey and community meetings.

Mr. Geouge said that their next steps would be to incorporate any adjustments resulting from the community input and to finalize revisions to land use recommendations and policies. He said that they still had the goal of presenting a draft plan to the full Planning Commission next month on August 26, and presenting to the Board in September to initiate the public hearing process. He said that their public input phases consisted of a survey as well as community meetings. He said he would like to recognize the Community Engagement team for their assistance with this effort, as well as staff from County Administration, Planning and Zoning, and Capital Projects who had helped with the preparation and staffing for the community meetings.

Mr. Geouge said that starting with the survey, which ran about three weeks in April, staff provided a short, simple, two-minute survey that focused on informing the general direction of the Comprehensive Plan update, and they received 665 entries. He said that they first asked people what they thought Stafford's priorities should be over the next 10 to 20 years. He said that managing growth was a top response at 28%, followed by roads at 21%, and schools at 13%. He said that they also asked what types of businesses Stafford needed more of, and entertainment was a clear front-runner there with 51% of the responses; restaurants and office were second and third at 22% and 17%, respectively.

Mr. Geouge said that when asked about growth in the County, most respondents preferred a balanced growth approach at 47%, almost as many supported slower growth at 44%. He said that they also asked about the type of housing that the County was in need of. He said that the takeaway there was that single-family housing was the most popular choice at 31%, followed by senior housing at 17%, and the "other" category at 35%.

Ms. Vanuch asked if the "other" category was indicative of people stating they wanted no more housing.

Mr. Geouge said that half of them were none.

Ms. Guy asked if this included affordable housing.

Mr. Geouge said that they received comments on affordable housing through the open comment selection portion of that survey. He said that they had 235 comments in the "other" category, and about 25% of those related to affordable housing. He said that a significant portion indicated that no additional housing was desired. He said that the last graph referred to where future growth should be focused, as they wanted to get an idea of what areas of the County people thought growth should occur. He said that they had three selections there: near existing commercial areas, near major roads, and spread throughout the County.

Mr. Geouge said that 47% of people chose spread throughout the County. He said that they could combine the first two to mean more or less inside the Urban Services Area or Targeted Development Areas, so in the end, it was roughly the same saying in the growth areas and spread throughout. He said that they wrapped up the survey with just an open comment section, and there were a few takeaways there, including a desire to balance growth, specifically with infrastructure development, a desire for more entertainment, gathering places, and community destinations such as parks, slower and more balanced growth.

Mr. Geouge said that one of the top themes was that respondents generally were not opposed to growth; rather, they felt it should be planned out well and, again, commensurate with infrastructure and public facility improvements. He said that many also expressed opposition to data center developments. He said that there was a need for additional environmental protection, which was cited quite a bit. He said that finally, many expressed the need for affordable and workforce housing. He said that they also had two meetings at the locations and dates shown there. He said that the purpose of these meetings was to get more targeted input on specific aspects of the plan, including land use recommendations and transportation recommendations.

Mr. Geouge said that they also asked attendees again about desired focus areas for the updates. He said that as for the feedback received, a lot of this was consistent with their takeaways from the survey. He said that again, there was significant opposition to data center development, with about a third of the written comments expressing opposition. He said that they generally saw, again, a desire for more parks, trails, and open space throughout the County, and environmental concerns were noted. He said that they also presented a series of maps for which they asked attendees to mark their preferred land uses to see how those land uses may need to be shifted based on the input.

Mr. Geouge said that other updates they were going through involved looking at the TDAs and seeing how they may need to be adjusted. He said that they were making some land use adjustments within the Targeted Development Areas, but he would note that they currently were not proposing any expansions of the Urban Services Area, nor any expansions to existing TDA boundaries. He said that they had evaluated capacity in those areas, and they felt there was sufficient capacity to accommodate the growth projections. He said that they were, however, proposing a new TDA, which they were dubbing Chatham TDA, located generally between Rappahannock River and Butler Road along Chatham Heights Road.

Mr. Geouge said that this was a gateway area into the County and was surrounded by natural amenities, parks, historic sites, trails, and the City of Fredericksburg. He said that they thought that this increased the potential for more of a pedestrian-oriented development pattern there with businesses and community amenities that supported tourism and recreation. He said that the intent of the TDA was also to try to encourage, incentivize investment, and to an extent, revitalize this area. He said that there were some updates on transportation as well. He said that Transportation and Planning staff had been working diligently on Chapter 4. He said that they were proposing two new east-west road corridors just south of Courthouse Road to address future traffic growth in this area.

Mr. Geouge said that these would serve as local traffic options to relieve pressure on Courthouse Road. He said that there was also a new road proposed to serve the Widewater area, along with additional river crossings, including the crossing recommended by the Fredericksburg Area Metropolitan Planning Organization (FAMPO) study. He said that they were also proposing new TIA submission guidelines. He said that as opposed to the current practice where meeting 1,000 resulted in a TIA, they would have different criteria for areas that abut congestion management corridors, as identified in the FAMPO travel demand model, or high-injury networks, as identified in the Stafford County Safety Action Plan. He said that those would have lower thresholds for TIA submissions, and the current proposal was 250 per day for those developments.

Mr. Geouge said that they were also proposing a section dealing with revitalization and identifying specific TDAs where that would be focused. He said that this would involve identifying the criteria and site design they were looking for to determine what would qualify as a revitalization project, and discussing some incentives to help encourage those types of developments. Regarding affordable housing, staff were in the process of reviewing recent legislation as it related to local ordinances and Comprehensive Plan considerations. He said that staff noted that in 2021, legislation was approved that required localities to incorporate strategies to promote manufactured housing as part of their Comprehensive Plan update, so they were incorporating that into the policy section of the Comprehensive Plan. He said that they were also revisiting projections and the distribution of growth within the TDAs, as he had mentioned.

Mr. Geouge said that in terms of what was ahead in this process, the subcommittee was continuing to meet to discuss updates to the Plan based on public feedback. He said that they were looking to finalize a draft to present to the Commission next month, again with public hearings from October to December. He said that they also had a website where they posted all this information so that people could keep up to date on the projects. He said that he was happy to take any questions or recommendations back to the subcommittee.

Ms. Vanuch said that she wanted to commend Mr. Geouge, the Planning Commission, and the subcommittee on doing such a great job. She said that coming from the Planning Commission, she knew how much work this project required and how much effort staff put into it. She said that she wanted to thank them for all their hard work.

ACTION ITEMS

ITEM 37. BUDGET AND MANAGEMENT; CONSIDER INITIATING A REFERENDUM ON THE QUESTION OF IMPOSING A LOCAL GENERAL RETAIL SALES TAX OF UP TO 1% TO BE USED FOR NEW SCHOOL CONSTRUCTION OR MAJOR RENOVATIONS; PROPOSED RESOLUTION R26-259

Andrea Light, Chief Financial Officer, said that this item pertained to a potential sales tax referendum for school construction. She said that as part of the Virginia biennial budget, amendments to the Code of Virginia were enacted, which now would allow Cities and Counties to levy a general retail tax at 1% for major school construction and major renovation projects. She said that this could only be levied if it was approved by a referendum by the voters and subsequently adopted by an ordinance. She said that they had a fairly tight timeline, and this item was time-sensitive for this evening. She said that if the Board would like to move forward with this, it would impact Fiscal Year 2028, the next fiscal year.

Ms. Light said that there was a list of items that would need to happen. She said the Board would approve this Resolution, which then went to the circuit court on or before August 14. She said that because of the Board's summer recess, action either had to be taken tonight, or this would delay it until the next general election after this November. She said that if it was approved by voters at the general election, it would come back to the Board to authorize a public hearing on an ordinance. She said that the public hearing would likely happen in January, then the Board would budget and appropriate the Fiscal Year 28 projected sales tax with their April budget. She said that the effective date of the ordinance could be as early as June 1, 2027.

Ms. Light said that it was a little difficult to project what this revenue might look like. She said that sales tax for school construction renovation may not be levied on food purchases for human consumption or essential personal hygiene items. She said that the Commissioner of Revenue received information from the state and had learned this would be a lump sum from each vendor, but it would not be broken down into what consumers were purchasing. She said that the County received their 1% of sales tax, which was about \$26 million annually, and the Commissioner provided a sensitivity analysis for projected revenue, somewhere between half of the revenue that they received, up to \$20 million. She said that this could be seen over a 20-year cumulative period, assuming a 3% annual growth, that this could amount to \$349 million to \$537 million.

Dr. Yeung asked why there was a difference in the Schools' projection of \$13 million if it was the same 1% sales tax.

Ms. Light said that it could not be levied on food for human consumption or personal hygiene products, which were included in that other number.

Mr. English asked if this meant that grocery stores and gas stations would not be subjected to this tax on their food items.

Ms. Light said that was correct; any food purchased for human consumption would be exempt. She said that however, dog food would still be taxed, for example.

Ms. Light said that the Schools that had identified \$1.7 billion in needs over a 10-year period in their Capital Improvement Program (CIP). She said that the Board had adopted a 10-year CIP with \$577 million in debt issued over that 10-year period. She said that if this sales tax were to be implemented, it could not be used on the current debt that they had. She said that it was future debt over the next 20 years. She said that again, this proposed resolution was time-sensitive to meet the general election on November 3, 2026.

Dr. Yeung motioned, seconded by Ms. Guy, to approve proposed Resolution R26-259.

Ms. Vanuch said that she would like to make a substitute motion to deny the Resolution because the referendum would fail. She said that the general voter was not going to support an additional tax, considering they had just built three new schools that this sales tax could not pay for. She said that the County needed to develop a better strategy to explain what this revenue would be used for in the future and how it related to lowering the real estate property tax rate. She said that this was initially intended to support building the three new schools that were now already built. She said that she knew there were other schools identified in the CIP, but there was no way this was going to pass considering the other additional tax increases. She said that she had previously supported sending this to the General Assembly to allow the voters to choose, but the timing of this could not be worse for folks to be voting on this.

Ms. Guy asked what it would hurt to allow the voters to decide. She said that people like Ms. Vanuch may vote against it, but others may support it. She said that she respected the Board's decision on this matter, but she did not see the harm that would be done to the County to allow the voters to choose.

Ms. Vanuch said that they needed to be more strategic and build a better story to relate how this tax would be used as a means to keep real estate property taxes low, so they did not have to use those for school construction. She said that every time there was a ballot referendum like this, there was so much jockeying and positioning from both political parties to tell people how to vote. She said that the County did not have a specific message they would communicate to the public about this, which had been important in past referendums such as the road bond referendum. She said that they had identified the roads, timelines, and safety aspects that would be addressed through that tax, and that story was important. She said that it was great that the state passed this, but she did not think it would pass if they just threw it out there immediately. She said that the County needed to take time to see how this would offset other taxes and build a story to do what was originally intended for this tax. She said that her perception right now was that this was another tax increase that no one wanted to deal with. She said that lots of people did not want tax increases.

Ms. Guy said that she agreed that most people did not like tax increases; however, this applied to school construction and school renovations.

Ms. Vanuch said that she felt they needed to list out specific projects, like they did with the road bonds.

Ms. Guy asked why they could not do that.

Ms. Vanuch said that they did not yet have consensus on what that would be. She said that they needed to coordinate with the Schools.

Mr. English asked if this could be put up for referendum next year, after the County got their story straight.

Ms. Light said absolutely, and it would then impact the FY29 budget.

Ms. Vanuch said that considering the other taxes they had recently increased, along with the potential new BPOL tax in the County, there were a lot of tax increases happening at the same time.

Ms. Vanuch motioned, seconded by Mr. English, to deny proposed Resolution R26-259.

Mr. English said that Ms. Vanuch was right. He said that the same thing happened with the parks referendum, where it fell flat because they did not have a story.

Ms. Light said that there was a parks referendum, which passed.

Mr. English said that the County never followed through on that.

Ms. Guy said that to clarify, the voters passed that referendum, but this Board dropped the ball.

Ms. Evans said that this only further supported Ms. Guy's comment.

Mr. Diggs called the vote on the substitute motion to deny proposed Resolution R26-259.

The Voting Board tally was:

Yea: (2) English, Vanuch

No: (5) Allen, Diggs, Evans, Guy, Yeung

Mr. Diggs said that the substitute motion failed, so the original motion returned to the floor.

The Voting Board tally was:

Yea: (5) Allen, Diggs, Evans, Guy, Yeung

No: (2) English, Vanuch

CLOSED MEETING

At 10:59 p.m., Ms. Guy motioned, seconded by Ms. Evans, to authorize closed meeting.

The Voting Board tally was:

Yea: (6) Diggs, Guy, Evans, Yeung, English, Vanuch

No: (1) Allen

Resolution CM26-15 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion of the disposition of County-owned property, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Board, (2) discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating its facilities in the County, and (3) discussion of the performance of a specific appointees of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(1), (A)(3), and (A)(5) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2026, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

At 12:37 a.m., Ms. Guy motioned, seconded by Dr. Yeung, to certify closed meeting.

The Voting Board tally was:

Yea: (6) Diggs, Guy, Evans, Yeung, English, Vanuch

No: (0)

Absent: (1) Allen

Resolution CM26-15 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON TUESDAY, JULY 7, 2026

WHEREAS, the Board has, on this the 7th day of July, 2026, 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 7th day of July, 2026, 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. Vanuch motioned, seconded by Ms. Guy, to ratify that the Board stayed and deliberated past midnight to the next day, July 8, 2026.

The Voting Board tally was:

Yea: (6) Diggs, Guy, Evans, Yeung, English, Vanuch

No: (0)

Absent: (1) Allen

ADJOURNMENT

The Board adjourned its meeting at 12:39 a.m., July 8, 2026.

A handwritten signature in black ink, appearing to read "Bill Ashton", written over a horizontal line.

William H. Ashton, II
County Administrator