

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
REGULAR MEETING
MINUTES
JUNE 7, 2022

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Crystal Vanuch, Chairman, at 3:00 p.m. on Tuesday, June 7, 2022, in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

ROLL CALL – The following members were present: Crystal L. Vanuch, Chairman; Pamela Yeung, Vice Chairman; Tinesha O. Allen; Meg Bohmke; Thomas C. Coen; Darrell E. English; Monica L. Gary.

Also in attendance were Michael Smith, Interim County Administrator; Rysheda McClendon, County Attorney; Cheryl Giles, Deputy Clerk; Julia Homes, Assistant Deputy Clerk; various staff members; and other interested parties.

Ms. Vanuch reminded the public that today's meeting was the only meeting of the Board for the month of June, as the June 21 meeting was canceled, and their next meeting would be held on July 5.

Ms. Vanuch said she had quite a few Chairman's remarks today, but Supervisor Bohmke had promised her Supervisor time so she could go over time. She said first, she would like to thank everyone who came out for their Memorial Day Ceremony on May 27. She said it was their biggest turnout in history. She said she would like to thank the following participants: Colonel Michael Brooks from Quantico, Pastor Chris Brown from Cornerstone Church, the All-State Chorus members from Stafford County Schools and their conductor, Joe Eveler, the Quantico Brass Quartet, Rolling Thunder Chapter VA 3, and the color guard from the Washington Military District. She said it was a great time to come together and remember the very best of their military and fellow citizens. She encouraged everyone to make plans to come to their Veterans Day Ceremony in November, their Memorial Day Ceremony next year, and the 9/11 Ceremony in September.

Ms. Vanuch said another update was regarding the compensatory time for the Sheriff's Office. She said the Board made some changes to their administrative policies over the last year based on state law, and without detailing the changes of the legislation, it was essentially effective on June 12, the beginning of the pay period paid out July 1, where timesheets were due on June 21. She said all exempt employees from the Sheriff's Office would now be eligible to accrue compensatory time again and non-exempt employees would have their choice of either accruing

compensatory time or taking overtime. She said she wanted to make sure everyone had that update from the compensatory time from the Sherriff's Office.

Ms. Vanuch said each year the North Stafford Rotary Club honored their military, public safety, and other heroes with Flags for Heroes. She said they solicited sponsorships for flags and the funds supported area charitable organizations. She said the flags were on the Government Center lawn through June 15. She said to please come by and take a look; it was a great effort by the North Stafford Rotary.

Ms. Vanuch said their last public service announcement regarding hot cars, babies, and pets was that they had had some very extreme heat over the last few weeks, and they wanted to remind everyone that the temperature in a locked car rises very quickly, even if it was overcast. She said children and pets can be overcome by the heat very rapidly and can die. She said to please leave pets at home and check the backseat for children every time getting out of a car. She said there were apps that could be used as reminders, and Wayze had an alert to remind one to check the backseat. She said it was better to be safe than sorry and have that reminder top of mind as they moved into the summer.

PRESENTATIONS

Welcoming of New Fire and Rescue K-9 Lincoln and Sheriff's Office K-9 Jynx

Ms. Vanuch said Fire and Rescue's K-9 Lincoln and the Sheriff's Office K-9 Jynx were two of the newest members of Stafford County, and they would like to honor them. She said for the Sheriff's Office, they had Deputy A.J. Layug and his K-9 Jynx, a 15-month-old Hanoverian Hound. She asked how long Jynx had been at the Sheriff's Office.

Deputy Layug said three months.

Ms. Vanuch said they had her for about three months. She said Deputy Layug was called in for mutual aid to Prince William County last night and found someone having a suicidal episode. She said she would give him a few minutes to talk about the importance of K-9 Jynx, why she joined the Sheriff's Office, and what their major roles are.

Deputy Layug said they could specifically track for anything with the K-9.

Ms. Vanuch said that Jynx joined the Sheriff's Office, and about a year ago they had K-9 Ruby join with Deputy Sean Easton, and her specialty was finding missing children, missing adults, perhaps suffering from mental health issues, and one of the most important things, unlike Sergeant Demirci's dog, people could pet Jynx. She said that was a very important aspect of having them.

She thanked them and welcomed them to Stafford County. She said she wanted to make sure the residents of Stafford County knew that there was a new K-9 around.

Ms. Vanuch said next was K-9 Lincoln, who belonged to Deputy Fire Marshall Dan Pappas, who would serve Stafford County as the new Fire Investigations dog as a liquid detection K-9, replacing K-9 Duchess, who has just retired a couple of Board meetings ago. She said also present were their friends from State Farm who sponsored the training through the Arson Dog Program, which had placed more than 400 accelerant detection dogs in communities across North America since 1993. She said they retired Duchess and K-9 Lincoln was now going to replace her. She said they had State Farm agents Rachel Johnson and Michael Smith to present and share some remarks about the program they had.

Mr. Smith introduced himself as Michael Smith and said Rachel Johnson was present in the back of the room. He said they were both State Farm agents in Stafford, and on behalf of State Farm, they wanted to thank the Board for inviting them out to celebrate and congratulate Deputy Marshall Pappas and K-9 Lincoln on their completion of the 54th State Farm Arson Dog Program. He said to congratulate them both.

Mr. Smith said since 1993, State Farm had been providing funding for the acquisition and training of accelerant detection K-9 teams, commonly known as arson dogs. He said the Arson Dog Program was special to them because of how uniquely it helped their community. He said as Chair Vanuch mentioned, over the years this program had put more than 425 dogs and their handlers in 46 states, the District of Columbia, and Canadian provinces. He said as an insurer, State Farm was all too familiar with what it took and what it looked like to lose a home to a fire. He said when that happened because of an arsonist, closure was important, and these dogs and their handlers helped them reach that closure. He said on behalf of State Farm, he thanked the Board for having them and gave congratulations again to Lincoln and Deputy Pappas.

Stafford Regional Airport Status Update

Stafford Regional Airport Director Jim Stover said he was presenting the annual briefing in accordance with Stafford County Resolution 559, Requiring an Appearance Before the Board to Report on Activities from the Aviation Authority. He said the Airport's mission statement and vision remained unchanged. He showed a slide with the current composition of the Authority, the two Stafford County appointed representatives whose terms expired at the end of this year were Mr. John Eaves, the current Vice Chairman, and Mr. Hank Scharpenberg.

Mr. Stover said the status as shown on the slide was that the current aircraft base number was 76, and the airport's goal was to have 100 based aircraft within 5 years. He said the 100 aircraft mark identified the airport as eligible for an increased share of federal funds. He noted the generally flat

fuel sales over the last 10 years and said this year expected to exceed 300,000 gallons, despite the runway being closed to jet traffic since March. He said they were currently 280,000 and 300,000 was the most fuel sold since 2007. He said this was significant because the sale of jet fuel was the primary source of profit for the airport.

Mr. Stover said there were two projects currently underway. He said phase 2 of the runway extension project started in November of 2021, and the runway may be open as soon as the end of August this year. He said the purpose was to provide adequate runway capability for existing traffic to land and take off fully loaded. He said larger jet traffic would still not be able to operate out of Stafford Airport. He showed a photo that was taken two weeks ago and showed the area of additional runway construction. He said the taxiway would also extend parallel to the runway and then connect with the runway at the end.

Mr. Stover said T-Hangar 4's fifth hangar was located in light green at the left center of the screen was under construction that began in February of this year. He showed another photograph taken two weeks ago that showed the foundation under construction. He said currently, the hangar steel frames were in place and the center firewall was being built, and construction was scheduled for completion in August of this year. He said there was both room for and a need for two additional T-Hangars at the airport, and it was the Authority's intent to build those hangars within the next five years.

Mr. Stover said future projects included repaving, indicated on the slide, and a recent statewide pavement study conducted by the Virginia Department of Aviation showed these surfaces were at the end of their useful life. He continued that the airport worked closely with the agencies listed on the screen to further promote the airport and Stafford County. He said he would like to specifically acknowledge the assistance and support of the County Economic Development and Tourism. He said the airport had two issues of potential involvement with the Board of Supervisors.

Mr. Stover said the airport intended to submit an ordinance in accordance with House Bill 742 that would allow drones to take off and land at Stafford. He said the drones being contemplated here were the 15-plus foot wingspan that required runway for taking off and landing. He said the Authority would also need permission for a loan for future construction projects, and the airport expected to be in the financial position and qualify for both of them.

Mr. Stover said in summary, the Authority had no issues or requests for Board assistance at this time. He asked if there were any questions.

Ms. Vanuch asked if the Supervisors had any questions. Hearing none, she moved to the next item.

Overview of the Community Survey

Director of Community Engagement Andrew Spence thanked the Chair and Board members. He said as part of the Board's Strategic Plan and strategic planning process, staff initiated the County's first community survey. He said to please keep in mind that these results were not about Stafford County government, but a perspective through a scientific tool of the residents' view of the entire community. He said to do this, they enlisted a partner that utilized the National Community Survey (NCS). He introduced Jade Arocha, the Director of Research at the National Research Center at Polco, and said that she would present the results to the Board and to the public.

Ms. Jade Arocha greeted the Board and said she was pleased to be presenting an overview of the results for Stafford County's first NCS. She said she would give some information about the methodology before she touched on the results from this year's survey. She said it was Stafford County's first time conducting the NCS, and it was conducted this year from March 10, 2022 to April 28, 2022. She said they randomly selected 4,500 households from within Stafford County to receive either a paper survey in the mail or a survey invitation to complete the survey online, and all 4,500 households, whether or not they received a paper survey in the mail, had the option to complete the survey online.

Ms. Arocha said all of those materials were dual language in English and Spanish, and of those 4,500 sampled households, they received 529 completes for an overall response rate of 12%. She said also open to the entire community was a follow-up, online-only participation survey available to the community at large. She said they received 569 responses to that survey effort as well, and those results had been reported separately but were all contained within the full body of the report. She said the results were statistically weighted to the demographics of Stafford County residents to ensure that the results were representative as well.

Ms. Arocha said that 529 completes yielded a +/-4% margin of error around the survey results. She said because they worked with so many different communities across the country, they had a robust national benchmark database that allowed them to compare their results to those from over 500 communities across the nation. She said she would talk more about those benchmark comparisons as she went through the rest of the results. She said these key findings were what stood out to them as survey researchers, but there were more data points to be gleaned as well.

Ms. Arocha said the NCS was centered around 10 facets of community livability that had been identified by survey researchers as having the most impact on the quality of life in a resident's given community. She said the facets were shown on the screen, and they asked residents to rate both the quality and the importance of each of these facets. She said they used the quality importance ratings there to determine potential areas of focus for the County. She said with

benchmark comparisons, there were a number of standardized items on the survey for which they could provide those comparisons in which the same question was asked in different communities across the country. She said for those items in Stafford County, 60 were rated similar to national averages, and 63 were rated lower.

Ms. Arocha said she would discuss the survey highlights. She said the first key finding was that Stafford County residents experienced a positive quality of life and a strong sense of safety. She said about 3 in 4 residents gave an excellent or good rating for the County as a place to live and a place to raise children, and 7 in 10 residents would also recommend Stafford County as a place to live and planned to remain in the County for the next 5 years.

Ms. Arocha continued that residents generally reported feelings of being very safe in the County, particularly in their neighborhoods during the day, 9 in 10 residents reported feeling very or somewhat safe, and roughly 8 in 10 reported feeling safe from other types of crime, in other areas, and times of day in the County. She said looking at safety-related services, these all tended to be rated very positively by residents by at least three-quarters of residents and were similar to the national benchmark comparisons.

Ms. Arocha said the second key finding was that residents appreciated many aspects of the County's economy and highlighted some potential areas for growth. She said some bright spots related to economy were that 60% of residents rated Stafford County's overall economic health as excellent or good, and about 6 in 10 positively rated the County as a place to work. She said also, ratings for overall quality of business and service establishments in Stafford County, shopping opportunities, and employment opportunities were all similar to ratings given in other communities.

Ms. Arocha said some challenge areas within the Stafford economy included that Stafford County as a place to visit, at 44% excellent or good was lower than the benchmark, as were ratings for variety of business and service establishments in the County, vibrancy of the downtown and commercial area, and economic development.

Ms. Arocha said the third key finding was that mobility may be an opportunity for the County. She said some strengths within this facet were ease of public parking, traffic enforcement, and traffic signal timing, where roughly half of respondents gave positive ratings to each of these, and they were similar to national averages. She said that however, looking at other ratings, particularly related to mobility services, these tended to be rated positively by about one-third of respondents or less, and were lower than those ratings given in other communities across the nation.

Ms. Arocha said the fourth and final key finding was that residents value the county's utility infrastructure. She said most utility-related items on the survey were rated positively by about 6 in 10 residents or more, and most were also similar to the national averages. She said this was a very high-level overview of the findings from the survey. She said she would be happy to take questions if there were any.

Ms. Vanuch asked if there were any questions. She said she knew they dealt with this and dove deeply into infrastructure, so she did not know if there were any leftover questions.

Ms. Yeung said she did not have a question but did have a comment. She said they saw Ms. Arocha earlier today and said it was a great presentation. She said for transparency, she asked about the different areas of Stafford, such as the rural area and the very busy area in Garrisonville, landscaping, rivers, and other features. She said the answer was that yes, the information was there, and because the system used Tableau, an analytical system they could actually take out the areas of districts and see what it looked like. She said they would be doing that, and they were going to provide that so they could analyze and look deeper into what it was that the data showed that they could do to improve their districts and Stafford County as a whole.

Ms. Vanuch thanked Ms. Arocha. She asked if Mr. Spence had any closing remarks.

Mr. Spence thanked the Board. He pointed out that the community survey information results were online on staffordcounty.va.gov/communitysurvey where it would direct users to that page and the results could be downloaded and looked at.

Ms. Vanuch thanked Community Engagement staff. She said she knew it was a great undertaking, and it was great feedback and information for the Board. She said they were looking forward to these coming up every year. She said that concluded all of the presentations for the day.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Smith said there were two additions. He said the first was the Report for the Central Rappahannock Regional Library that would be on the Consent Agenda, and the second was an Authorization for the Interim County Administrator to Execute a Contract for the VACo Self-Insurance Risk Pool, for which the coverage was just an annual renewal. He said they also had several handouts for various items that would be discussed as each of those items came up. He said they were all in their handout and had all been added to the public website so they were available for the public to view.

Ms. Vanuch asked if there was a motion to add those in.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve the additions to the Regular Agenda.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay: (0)

ADDITIONS - DELETIONS AND APPROVAL OF THE CONSENT AGENDA

Mr. Coen motioned, seconded by Mr. English, to approve the Consent Agenda.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay: (0)

PRESENTATIONS BY THE PUBLIC - I

Ms. Vanuch read the protocol for public presentations.

1. Mr. Cliff Heinzer thanked all the Board of Supervisors members for everything they did for the County and the hard work they put in. He said in line with that, he wanted to bring up an issue that he understood was difficult for the Supervisors themselves to raise, and that was appropriate compensation and staff support for the Supervisors. He said they were at a time when inflation was impacting so many of them who were in Stafford, and the Board members were no exception to that.

Mr. Heinzer said they often forgot the long hours and hard work they put in, and they were due appropriate or reasonable compensation for that time. He said he would point out that with Stafford's growth, they were within 2,000 of the population of the City of Alexandria, with almost no real distinction. He said in the case of Alexandria, they had six council members and a mayor, while Stafford County had six Supervisors and their Chair. He said in terms of the number of constituents that they were required to represent, it was almost exactly the same, however, he would point out that there was a significant discrepancy in the compensation.

Mr. Heinzer said the most recent figures had shown that in the City of Alexandria, the council members were receiving over \$37,000 and the Chair had over \$41,000, which was considerably higher than what the Supervisors in Stafford received. He said he wanted to offer for their consideration that this may be the time and there was support to make sure that those who were serving them were appropriately compensated. He said similarly, staff support was always an issue.

Mr. Heinzer said it was important to have enough dedicated staff support to help them in their work. He said he knew most of the public could only imagine how much research and documentation they had to go through in preparation for each meeting, and appropriate staff support could certainly help them with that in making sure that issues were queued up and focused properly. He said he would like to raise this issue and knew it was not one that was easy for the Board to discuss—but it was one they needed to address, and there was support for it.

Ms. Vanuch asked if there was anyone else present who would like to address the Board.

2. Jeff Adams, 449 Kellogg Mill, in Mr. English's district. He read

“Chelsea Embankment, 7:00 a.m., by New Ireland: and I am wondering just how I got here as another red light keeps me still. I breathe in the poisonous gases and the smell of it all makes me ill. I look at the muddying waters, even the rivers uneasy to dwell, I sympathize with the way that it's feeling as lights change and I descend into hell. Unfriendly faces are many, and the whole of London looks dark. It takes me hours to get to my workplace and it costs me a fortune to park. I was not bred to be amongst the concrete, mixing with others not of my ilk.

“I was brought up to be with livestock, and to walk upon grass smooth as silk. A small strip of green plucks my heartstrings, and I decide the office can wait. For a moment, I stand on the turf there and away from the street that I hate. I crave for the life before London, when the day was all grassland and sheep. The plows and the harrow my tools, and honest toil did not prevent sleep. The sun and the rain were mistresses, daily to her I would bow. Gathering the hills made my legs burn, and the sun dried the sweat from my brow.

“Where skylarks acts as alarm clocks, as a song fills the whole of the sky, and the hares hurry forward before you as you wander through cocks-fold waist high. The banquet of food on the table grown by your own calloused hands, not bought two-for-one from Tesco, grown by corporates that just raped the land. To feel the dew soak into the clothing as you walk around the stock at first light, the smell of the stockyard at harvest, the way the moon lights the valley at night. I still miss the view from the hillsides, watch the valley at the start of the day. The pleasures that etched on my memories cannot be substituted by pay.

“But I work in this dirty, big city, hoping my pension will burst at its seams, but I'd give it all back, every penny, just to return that farm of my dreams.”

Mr. Adams emphasized, "Do not lose every damn farm in Stafford County." He said they had a meeting today at about 12:00 p.m. with Northern Virginia Trust. He said to save some of them for him, because they needed more farms. He thanked the Board.

Ms. Vanuch asked if anyone else would like to address the Board. Seeing none, she closed the public comment portion of today's meeting.

REPORTS BY BOARD MEMBERS

Ms. Gary – remarked she did not have much to report. She said it had been a busy couple of weeks and it was good to be back here, reading through the many documents they had mentioned to serve the public well. She said there were several things she had been working on, but that work spoke for itself and most people were very happy with what was going on at Brook Road, which would continue to come back later. She said if they had any questions they could contact her on that. She said she was very excited about some things they had coming up, specifically mentioned the MOU they may be entering into with the Northern Virginia Conservation Trust, which was very needed. She said other than that, she wanted to mention that they should pull Item 7 from the Consent Agenda so they could discuss that and get some more details.

Ms. Yeung – remarked on May 19, she attended the Sheriff's Award Ceremony at Mount Ararat, where they had a delicious dinner and there were proud ladies and gentlemen doing their duties. She said it was a very special occasion for them, with unit awards, traffic safety awards, letters of recommendation, meritorious award, silver stars, medals of valor, and the Fort Humphrey Award. She said it could not have been done without staff, Rita Kooiman and Cathy Henderson. She said on May 21 celebrated the bright futures of so many high schoolers as they went on into the world. She said she sat next to a very special young lady named Madeline Grabb, who talked to her about her future dreams.

Ms. Yeung said she was so entertained by Christian Novalski, the North Stafford 2022 Salutatorian. She said she also attended with her colleagues, Chairwoman Vanuch and Supervisor Meg Bohmke for VACo, where they had the Board of Directors meeting, dinner, and convened for their annual meetings in Stafford. She said they welcomed them and they hopefully had a great time. She said lastly, on a solemn note, they had an accident in Austin Ridge and Shields on May 29, where someone lost control of a vehicle into oncoming traffic, which resulted in three people being killed.

Ms. Yeung said there was no name mentioned, but she drove that road every single day, and she went to the scene. She said her colleague Ms. Vanuch told her that she was in the area when it happened. She said her condolences went out to the family of the female passenger. She said as

she drove past on Sunday as she did every day, there were so many cars there that day, she felt compelled to stop and stand with the family and pray with them as they grieved.

Ms. Yeung said she wanted to let the audience know to make sure that they knew what the road was, where the curves were, and where the lanes converged, because they lived there, but people coming from north or south were using that back road as an easy way, and they had discussed the amount of traffic on 610 and Garrisonville Road. She said it was now a throughway because there were two big roads, Mine Road and Garrisonville Road, and people walked on that road because there were pathways to the parks. She said to be careful, take care of children, and stay safe during the summer.

Ms. Allen – remarked she echoed what Supervisor Yeung said, being able to attend the Sheriff's Award Ceremony reminded her of the amazing staff and deputies they had serving Stafford County. She said it also troubled her to know that the majority of their calls were mental health calls. She said they knew that the pandemic was difficult for people, but she commended the deputies for their great work in responding to all the needs of their residents. She congratulated everyone who was recognized and those of them who were not.

Ms. Allen congratulated all the high school graduates and said she wished them the best as they embarked on the next phase of their lives, and that they found the wisdom she did not have at age 18 and wished them good luck in everything they pursued. She said lastly, she attended a regional transportation conference this past week in Roanoke, and one of the common themes that the entire state was facing was how to meet the transportation needs of their residents in the post-Covid-19 world, both in terms of infrastructure and in terms of basic bus and train transport.

Ms. Allen said it was great to be able to know that they were not alone in that fight, and the entire state was facing the same restrictions. She said they did not know what 2023 would look like when it came to funding. She said that part she did not enjoy, but other than that, as Supervisor Yeung and Supervisor Gary said, the last couple of weeks had been short. She said since they would not be back until July 5, she wanted to wish everyone a happy July 4th and hoped everyone enjoyed the holiday. She said she looked forward to the fireworks, as many people did. She said as they went into the summer season to please make sure people took great caution in protecting themselves and their families, and as Ms. Vanuch said, to make sure they were not leaving children or pets in vehicles, and to make sure to wear sunscreen.

Ms. Bohmke - remarked she wanted to mention the Virginia Association of County (VACo) events they had in Stafford County this past weekend. She thanked Lisa Logan in Economic Development for all of her efforts; she helped her a tremendous amount, as well as Andrew Spence, and it showed

in the results of what they did with the VACo's colleagues. She said these were basically elected officials from all over the state who represented the various regions.

Ms. Bohmke said they had a spring/summer meeting, and since she was the president of the Association, they got to host it here in Stafford County. She said the biggest benefit of that was that they got to come to Stafford and see what they were all about. She said that was very exciting, and they saw Chatham Manor, Gary Melchers, Ferry Farm, the Armed Services Memorial, the Rouse Center, and she talked about the Widewater State Park, Government Island, Aquia Landing, the Rowser Building, and also the Stafford Civil War Park.

Ms. Bohmke said they covered a lot of things, but they did not have a chance to visit all of them. She said a colleague from Fairfax County sent her an email on Saturday night and said that she had no idea of all the beauty in Stafford County, and she had only been able to see it from Interstate 95. She said they all were thrilled, and she thanked them for all driving up here to see them. She said at each of their seats, she gave them a small goodie bag, and in there was a sheet that Lisa Logan made. She said she brought this up because not everyone could stay for the tour, so she asked her to put QR codes on each side so they could pull up the information at home about all the different sites in Stafford County.

Ms. Bohmke said a memento that did not cost a lot of money was a small coin that represented the Aquia stone which came from the stone quarry in Aquia, which was a big part of George Washington's life and used on their Capitol in D.C. She said that was something she sent home with them. She said she also wanted to mention at their Saturday meeting, which was a Board meeting from 9 a.m. to 12 p.m., they talked majorly about the legislation approved in Richmond during session. She said one of the things she would like to discuss with the Board was that there was a lot of discussion about solar facilities, and as they all knew, there were pros and cons.

Ms. Bohmke said if they were going to be getting inquiries in all of their different districts, they needed to have a work session with John Saunders and his department to look at the Spotsylvania Solar Facility, what went well, what they could have done differently. She said she knew Caroline County had about nine solar facilities they were looking at right now, and she could not imagine that all of those would pass, but she felt like they as Supervisors should get educated. She said she wondered if it would be the will of the Board to give direction to their interim County Administrator Michael Smith to have a work session on this, as there were a lot of EPA and DEQ regulations coming out.

Ms. Vanuch said she was fine with whatever Supervisor Bohmke wanted to do. She asked if she wanted to do a work session or add it as new business on the July agenda. She asked if they should have a special work session over summer break.

Ms. Bohmke said she believed it needed to be a special work session.

Ms. Vanuch said the consensus of the Board was that they wanted to talk about it, so they should work out how they will schedule that. She asked if that was okay.

Ms. Bohmke said yes. She said she attended the Business Appreciation event that Economic Development had, which was wonderful. She said one of their business, GQ, received a big award in the County for all of the efforts they had done not only in Stafford County but also in the region. She congratulated them. She said something of great concern right now was that Supervisor Gary and she were on the Landfill Board, and they all had appointed them to represent them on that. She said they were having extreme problems with the hauler, GFL, and getting trash picked up in the County.

Ms. Bohmke said if they were not aware, GFL now owned Shifflett's Trash and County Waste. She said in addition to people having problems with trash service, they also had a lot of hydraulic problems; when the arms went up to pick up the trash, it was leaking a lot of hydraulic fluid on pavement, and she had a number of constituents raise this issue with her, and people were not happy. She said they were working with their new Landfill Director, who had been there since last Wednesday, and luckily he was very educated and was doing everything he could. She said she was letting all her colleagues know that she and Ms. Gary were working on it with Mike Smith and Phil Hathcock, their new Landfill Director.

Ms. Bohmke said lastly, they lost Austin Lee Payne, Jr., and she would share a little bit about him. She said his family had the first home in Ferry Farm, a home he lived in most of his life. She said the real reason she wanted to talk about Austin Payne was because he was a volunteer fireman, first at Hartwood Volunteer Fire Department and then for many years with the Falmouth Volunteer Fire Department, known as Engine Company 1. She said he drove fire engines as an engineer, he rendered aid as an EMT and performed duties as the treasurer of the Falmouth Volunteer Firemans' Association.

Ms. Bohmke said his dedication was recognized in 1991 when he was declared to be a life member of the Falmouth Volunteer Fire Association. She said he became an electrical engineer and had a decorated career at Dahlgren for 31 years. She said he loved any new technology and was on the cutting edge of electronic equipment development. She said at age 10, he was diagnosed with a very rare disease called Syringomyelia, which was like a cyst in the spine. She said he did lose some of his fine motor skills at age 10, but he never let that define him and lived his life with dignity and grace.

Ms. Bohmke said she wanted to stop for a moment and say that their volunteer firemen who had dedicated themselves were a rare breed, and she wanted the public to know that they used to survive in Stafford County on nothing but volunteers, but now at many of their stations they had a combination of career staff and volunteers. She said she wanted to ask the Board if some of them would be interested in coming up with some kind of memorial for volunteer Sheriffs and volunteer Fire and Rescue people. She said she did not know what that would look like, but maybe this could be the beginning of a conversation if they were interested. She said they had a lot of volunteers who had done a tremendous amount for their County, and she did not think they should just be forgotten.

Ms. Vanuch said it was something they could probably take on in CEDC or Public Safety, so they would add that to one of those respective agendas and maybe start the discussion there and see where they end up. She said she thought it was a great idea.

Ms. Yeung said to consider not only what they wanted but what they needed, because she did not think that was all that volunteers wanted.

Ms. Bohmke thanked Austin Lee Payne, Jr. for his service to Stafford County, and rest in peace. She thanked Chair Vanuch for the extra time.

Mr. Coen – remarked he heard the VACo event was amazing and that Ms. Bohmke did an excellent job. He thanked her for keeping him up to date on the trash issue, because he knew who to call today, because for two weeks in a row they did not pick up recycling in their area, so her information was very helpful, and she was doing an amazing job. He thanked her for her comments about Mr. Payne, who was a remarkable individual. He thanked staff for their work helping with different issues that had arisen in his District. He said his constituents continually thanked him, but it was really the staff who was responsible.

Mr. Coen said that graduation was phenomenal, and he loved seeing students' faces as they walked across the stage every year, and as long as he got to be up on stage, he would do it. He said along with the theories and topic of schools, it had been a difficult couple of weeks for schools and education. He said he wanted to send out great appreciation to the Stafford County Sheriff's Department and the Stafford County Public Schools. He said they had been proactive in dealing with safety issues for over a decade now, and they had been ahead of the curve on many of the safety measures that other people ended up doing, and that was because of their excellent Sheriffs, both the former Sheriff Jet and now Sheriff Decatur.

Mr. Coen said the people in the Stafford Public School System had a committee that met regularly to stay on top of this, and he thought they were blessed not only because they were on summer

vacation already, but because they had people who were forward-thinking about safety. He said going into the 4th of July, to please not have illegal fireworks. He said they were a danger for their veterans and for pets.

Mr. Coen said the explosions in neighborhoods were horrible, and unfortunately what ended up happening was that their Sheriff's Department was called out to try and deal with people who could not accept the fact that there were public venues to watch, and they did not need to set things off in neighborhood that were causing trauma. He said 4th of July was special for his ancestry who fought at Bunker Hill, the evacuation of Boston, fought with Washington, and felt very strongly about Independence Day, so he knew that fireworks were a big part of it, but so was community, and they should show that. He said that concluded his remarks and the rest of his time went to Ms. Bohmke.

Mr. English – remarked that Colonial Forge was like a well-oiled machine for graduation, they did everything perfectly on schedule and it was a great event. He said he appreciated Mr. Coen helping him as it was the first event he had done, but again, Colonial Forge shined that day. He said this past Saturday, they had their Rappahannock Regional Soapbox Derby. He said Keith Burgess did an excellent job, they had a beautiful day out there, and it was a great event that Ms. Vanuch attended as well. He said he hoped it continued to be held where it was. He said it was a great venue for where it was at.

Mr. English said on June 10, the Special Olympics Torch Run would be taking place, leaving the Sheriff's Office at 6 a.m. and carrying the torch all the way down to Richmond. He said it was the first time they had the summer games in two years because of COVID-19, so they needed to continue. He said Matt Doyle and all the others from Area 11 would be participating down there. He said they lost a great individual in Hartwood on May 23, Steve Dempsey, who was a graduate from Falmouth High School in 1952 and president of his senior class. He said he was also employed for 40 years at VAPCo, which was now Virginia Power, and was dedicated to community service.

Mr. English said he was a charter member of Hartwood Volunteer Fire Department where he served as Chief for 37 years. He said the Stafford Board of Supervisors had recognized Mr. Dempsey on numerous occasions for his volunteer service. He said he was president of Stafford County Fire and Rescue Association for 17 years, served on the Stafford County School Board Selection Committee and was Chairman for 10 years. He said he also was recognized by President George Bush for the Point of Life in 1991 and he was recognized by the General Assembly in 2000 for his exemplary career and community service. He said he was survived by his wife of 66 years, Barbara, and his daughters Tamryn and Jody. He said he knew all the men in Hartwood would miss him because he was a staple of the community and would be missed.

Mr. English said he agreed with Ms. Bohmke that they needed to do something for volunteers; he had been a volunteer since 1975 with the Rescue Squad, and the volunteers were the backbone of this County until they got paid people, so whatever they needed to do to recognize these past people must be done. He said that Ron Thayer had read the eulogy for Mr. Dempsey. He said again, they lost two great people on the same day in May. He said his thoughts were with Mr. Dempsey's family and colleagues.

Ms. Vanuch – remarked she also attended the Sheriff's Office awards, the VACo Board meeting, the EDA Awards, and the Soap Box Derby. She said they were all fun and awesome events to attend and to spend time with the community, especially the first responders and their County staff. She said she did her quarterly ride-along with the Sheriff's Office and gave a special thank-you to Deputy Booth for being with her all night, as she rode with the midnight shifts that night, and to Sergeant Demirci for helping her schedule it.

Ms. Vanuch congratulated Sergeant Demirci again for his presidency of the Virginia K-9 Association, and it was an honor to have someone from their local Sheriff's Office representing the K-9 Association as the President. She said regarding something Supervisor Yeung brought up about the accident on Austin Ridge Drive, it was actually the same night she was doing her ride-along, and she was in the police car when they heard the call come through for the three-person fatality. She said she could not impress on the community enough that speed killed. She said what she was able to witness with their Fire and Rescue personnel, the Traffic Safety unit, and what they had to deal with for that accident was tremendous.

Ms. Vanuch said most of those employees worked a full day down at Falmouth Beach that day and worked until 1:30 a.m. managing the accident and working with the families, and then went back to work at 5 a.m. the next day. She said Deputy Russo to her righthand side was one of those Deputies present that night. She asked the public to slow down because it not only impacted friends, family, and residents in the community—but also their first responders and the people in their local community. She said that was a very devastating event to be a part of and to witness.

Ms. Vanuch said she wanted to discuss the letter to the delegation and governor that they sent. She said she knew at one of their former meetings they talked about the mental health crisis that was impacting Stafford County specifically with their law enforcement. She said they sent a great formed letter with the Sheriff's Office and Rappahannock Area CSB, so she was hoping their delegation would actually pay attention to it, because it had five main points of how they could take action right now to help alleviate some of the crisis regarding mental health issues and some of the over-burdensome regulations on their Sheriff's Office staff that were impacting their manpower on the streets.

Ms. Vanuch said she would be posting it online later so the residents could see that, but she would encourage everyone to reach out to their delegation and the Governor's Office and ask for immediate relief regarding the mental health crisis in Stafford County. She said her last comment was regarding Augustine. She said she was just made aware recently of some issues with Verizon, who hired a subcontractor to bring Verizon Fios into the neighborhood and to say that they had wreaked havoc on that neighborhood was an understatement.

Ms. Vanuch said they had cut gas lines, today cut a sewer line, and had cut the power out multiple times throughout the process. She thanked their staff, Andrew Spence, Shannon Eubanks, and Anthony Toigo, who responded very quickly to the issue and figured out what to do. She said she just got off the phone with Verizon and they had fired the subcontractor and removed them from the site. She said they had asked for all work to be stopped until they could start coordinating with the HOA to have a subcontractor out there that knew what they were doing. She said that concluded her comments.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Smith said he would like to expand on the discussion of the compensatory time that the Chairman mentioned earlier. He thanked both the Fire and Rescue and Sheriff's Office for providing their feedback so they could work with them, and they had also received feedback from some of the other departments so they would be working with their leadership team to look at those regulations and make changes to their policy so they could make sure all of their employees were satisfied with the changes as well.

CONSENT AGENDA

Ms. Vanuch restated that Ms. Gary asked for Item 7 to be pulled from the Consent Agenda.

Mr. Coen motioned, seconded by Mr. English, to approve the Consent Agenda as presented.

Ms. Vanuch mentioned that all County employees would have off next Friday, and public safety would have their eight hours of holiday pay. She said that the Board was appreciative of all their efforts this year.

The Voting Board tally was:

Yea:	(7)	Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	

Item 1. County Administration; Approve May 17, 2022, Board of Supervisors Meeting Minutes.

Item 2. County Administration; Approve May 24, 2022 Board of Supervisors Special Meeting Minutes.

Item 3. County Administration; Appoint Mr. Benjamin Litchfield to the Utilities Commission Representing the Aquia District for a Term Ending December 31, 2025.

Item 4. Budget and Management; Approve Corrected Resolutions for the FY2023 Adopted Budget and Appropriation.

Resolution R22-65(R) reads as follows:

A RESOLUTION TO APPROVE THE FISCAL YEAR (FY) 2023 COUNTY BUDGET

WHEREAS, the Board received public comment and held a public hearing on the proposed FY2023 County budget on April 5, 2022, in the Board Chambers at the George L. Gordon, Jr., Government Center, 1300 Courthouse Road Stafford, Virginia; and

WHEREAS, the Board held budget work sessions at which the Board analyzed and deliberated on the County budget; and

WHEREAS, the Board considered the recommendations of staff, information presented at the budget work sessions, and the public testimony, if any, received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the FY2023 County budget be and it hereby is adopted as follows for the County Funds:

I. COUNTY FUNDS

	Proposed	Change	Adopted
General Fund:	385,453,055	(8,736,899)	376,716,157
Board of Supervisors	792,274	(69,533)	722,741
Budget and Management	1,023,578	(24,912)	998,666
Commissioner of the Revenue	3,604,946	(175,202)	3,429,744
County Administration	1,442,048	(87,166)	1,354,883
County Attorney	1,534,114	(42,963)	1,491,151
Electoral Board and Registrar	786,116	(773)	785,344
Finance and Procurement	2,354,585	(60,687)	2,293,898
Geographic Information System	796,882	(27,089)	769,794
Human Resources	1,355,112	(76,517)	1,278,595
Information Technology	4,801,492	(144,173)	4,657,319
Community Engagement	892,141	(21,722)	870,419
Treasurer	2,726,287	(162,238)	2,564,049
15th District Court Unit	364,300	(5,783)	358,518

Code Compliance	6,028,050	(157,172)	5,870,878
Fire & Rescue Services	32,414,122	(1,478,692)	30,935,430
Rappahannock Juvenile Center	1,458,133	0	1,458,133
Rappahannock Regional Jail Authority	8,395,221	0	8,395,221
Sheriff	39,398,683	(1,624,003)	37,774,680
Circuit Court	701,718	(20,992)	680,727
Clerk of the Circuit Court	1,934,492	(130,840)	1,803,652
Commonwealth's Attorney	4,211,295	(254,531)	3,956,764
Court Deputies	3,660,309	(81,520)	3,578,789
General District Court	118,788	(1,530)	117,258
Juvenile and Domestic Relations Court	114,700	(1,492)	113,208
Magistrate	8,830	(113)	8,717
Cooperative Extension	276,701	(9,730)	266,971
Economic Development	765,303	(43,088)	722,215
Partner Agencies - Community Development	324,189	0	324,189
Planning and Zoning	3,063,859	(238,763)	2,825,096
Human Services	7,031,832	(335,208)	6,696,624
Partner Agencies - Health and Social Services	1,940,436	(40,446)	1,899,990
Social Services	9,897,388	(251,786)	9,645,601
Central Rappahannock Regional Library	5,819,669	(513,888)	5,305,781
Parks and Recreation	9,802,073	(421,870)	9,380,203
Community Facilities	5,421,059	(299,894)	5,121,165
Engineering	1,031,636	(74,972)	956,664
Partner Agencies - Germanna Community College	348,858	0	348,858
Schools Operating Budget Transfer	141,021,712	1,000,000	142,021,712
Schools Public Day School Transfer	880,879	0	880,879
Schools Transfer to Designated Repairs, Replacement and Rehab	1,445,865	0	1,445,865
Schools Transfer for Capital Projects	3,606,372	(1,803,787)	1,802,585
Schools Debt Service	30,197,271	0	30,197,271
County Debt Service	13,439,492	0	13,439,492
Non-Departmental Human Resources	365,309	0	365,309
Insurance	1,297,939	(50,000)	1,247,939
Capital and One-Time Projects	2,225,829	(296,557)	1,929,272
Other Non-Departmental	2,432,862	(541,808)	1,891,054
Purchase of Development Rights	150,002	0	150,002
Transfer to Capital Projects Fund	15,876,992	(423,634)	15,453,358

Transfer to Transportation Fund	5,529,311	258,173	5,787,484
Transfer to E-Summons	342,000	0	342,000

Other Funds:	Proposed	Changes	Adopted
Asset Forfeiture Fund	320,000	0	320,000
Armed Services Memorial	2,000	0	2,000
Capital Improvements Fund	76,344,141	2,340,000	78,684,141
E-Summons Fund	367,000	0	367,000
Fleet Services Fund	5,238,656	(622,717)	4,615,939
Garrisonville Road Service District Fund	1,760,585	(872,812)	887,773
Hidden Lake Special Revenue Fund	122,488	0	122,488
Lake Arrowhead Service District Fund	136,225	0	136,225
Lake Carroll Service District Fund	36,292	0	36,292
Lynhaven Lane Service District	5,500	0	5,500
Tourism Fund	2,674,375	223,440	2,897,815
Transportation Fund	18,907,310	2,353,704	21,261,014
Transportation Impact Fee - County-Wide Fund	775,000	0	775,000
Utilities Funds	101,444,621	0	101,444,621

; and

BE IT FURTHER RESOLVED that the FY2023 Schools budget is approved in the following amounts:

II. SCHOOLS FUNDS:

	Proposed	Changes	Adopted
Construction Fund	63,992,127	2,710,000	66,702,127
Grants Fund	22,073,416	(7,520,123)	14,553,293
Health Services Fund	32,492,635	1,807,535	34,300,170
Nutrition Services Fund	15,485,148	3,948,635	19,433,783
Schools Operating Fund	373,924,808	5,955	373,930,763
Workers' Compensation Fund	845,550	355,841	1,201,391

; and

BE IT FURTHER RESOLVED that the Board desires to continue to support special education students in the County, as identified by Stafford County Public Schools, and authorizes the County Administrator to execute a memorandum of understanding with the School Board for the Public Day School program in an amount not to exceed Eight Hundred Seventy-Four Thousand Nine Hundred Twenty-Four Dollars (\$874,924). The Public Day School program provides educational services in the least restrictive, most cost-effective environment, within the

community, through shared responsibility between the County and Schools for Public Day School students; and

BE IT FURTHER RESOLVED that the Board supports the full implementation of the Teacher's step plan as presented in the Schools' FY2023 proposed budget. By budgeting and appropriating an Eight Million Dollars (\$8,000,000) increase to the Schools' Operating Fund, the Board is providing sufficient funds to support this raise and for the School Board to provide this raise as presented in its and the Superintendent's proposed budget; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to disburse funds to Stafford County Volunteer Fire and Rescue companies only after ensuring compliance with the Fire and Rescue Department, County, and State policies, regulations, rules, and procedures; and

BE IT FURTHER RESOLVED that the County's authorized full-time strength is stated below, and recruitment and maintaining full-time positions up to the authorized strength is permitted. With approval of the County Administrator, the County's authorized strength may be temporarily exceeded for no longer than two weeks to allow training of a new employee by a leaving employee.

General Fund		
• Non-Public Safety	417	<u>427</u>
• Public Safety	494	<u>526</u>
Utilities Fund	<u>162</u>	<u>164</u>
Capital Projects Fund	2	2
Transportation Fund	<u>2</u>	<u>3</u>
Total	<u>1077</u>	<u>1122</u>

; and

BE IT FURTHER RESOLVED that a 3.5% pay scale adjustment is authorized, effective July 1, 2022, for all full-time and regular part-time General Government and 2.25% for the Public Safety County Employees; and

BE IT FURTHER RESOLVED that a 1.5% salary increase is authorized, effective January 1, 2023—which is the midpoint of FY2023—for all full-time and regular part-time General Government County employees hired prior to October 1, 2022, whose (1) job performance is effective or better on their 2021 performance evaluation, or (2) for those hired past the performance review date, whose personnel record contains no written disciplinary action; and

BE IT FURTHER RESOLVED that a salary step increase is authorized in accordance with the Public Safety Step Plan, effective on the anniversary date, for all full-time and regular part-time Public Safety County employees whose job performance is effective or better; and

BE IT STILL FURTHER RESOLVED that the Board approves the FY2023 Potomac and Rappahannock Transportation Commission (PRTC) subsidy of Forty-Five Thousand Three Hundred Dollars (\$45,300) and the Virginia Railway Express (VRE) subsidy of One Million Eight Hundred Thirty-three Thousand Three Hundred Nineteen Dollars (\$1,833,319), and authorizes the payment of the subsidies during FY2023 from the County’s Motor Fuels Tax Revenue Fund.

Resolution R22-66(R) reads as follows:

**A RESOLUTION TO APPROPRIATE THE FISCAL YEAR (FY) 2023
COUNTY BUDGETS**

WHEREAS, the Board commits to maintaining the undesignated fund balance, and desires to retain adequate budgetary control given the economic climate; and

WHEREAS, the Board intends to appropriate funds for FY2023 based on the following general guidance and percentage of the FY2023 budget:

- Debt service 100%
- General Fund transfer to other funds 100%
- Partner agencies funding 100%
- Purchase of Development Rights 100%
- All other Departmental budgets 95%
- Schools local funding transfer 95%
- Schools Public Day School Transfer 95%

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that General Government Funds and School Funds expenditures be and they hereby are appropriated as follows:

III. GENERAL GOVERNMENT FUNDS:

General Fund:	362,197,857
Board of Supervisors	686,604
Budget and Management	948,733
Commissioner of the Revenue	3,258,257
County Administration	1,287,138
County Attorney	1,416,594
Electoral Board and Registrar	746,076
Finance and Procurement	2,179,203
Geographic Information System	731,304
Human Resources	1,214,665
Information Technology	4,424,453
Community Engagement	826,898
Treasurer	2,435,846
15th District Court Unit	340,592

Code Compliance	5,577,334
Fire & Rescue Services	29,388,658
Rappahannock Juvenile Center	1,458,133
Rappahannock Regional Jail Authority	8,395,221
Sheriff	35,885,946
Circuit Court	646,690
Clerk of the Circuit Court	1,713,470
Commonwealth's Attorney	3,758,926
Court Deputies	3,399,849
General District Court	111,395
Juvenile and Domestic Relations Court	107,548
Magistrate	8,281
Cooperative Extension	253,622
Economic Development	686,104
Partner Agencies - Community Development	324,189
Planning and Zoning	2,683,841
Human Services	6,361,793
Partner Agencies - Health and Social Services	1,899,990
Social Services	9,163,321
Central Rappahannock Regional Library	5,305,781
Parks and Recreation	8,911,193
Community Facilities	4,865,107
Engineering	908,831
Partner Agencies - Germanna Community College	348,858
Schools Operating Budget Transfer	134,920,626
Schools Public Day School Transfer	836,835
Schools Transfer to Designated Repairs, Replacement and Rehab	1,445,865
Schools Transfer for Capital Projects	1,802,585
Schools Debt Service	30,197,271
County Debt Service	13,439,492
Non-Departmental Human Resources	347,044
Insurance	1,185,542
Capital and One-Time Projects	1,832,808
Other Non-Departmental	1,796,501
Purchase of Development Rights	150,002
Transfer to Capital Projects Fund	15,453,358
Transfer to Transportation Fund	5,787,484
Transfer to E-Summons	342,000

Other Funds:

Asset Forfeiture Fund	320,000
Armed Services Memorial	2,000
Capital Improvements Fund	78,684,141
E-Summons Fund	367,000
Fleet Services Fund	4,615,939
Garrisonville Road Service District Fund	887,773
Hidden Lake Special Revenue Fund	122,488
Lake Arrowhead Service District Fund	136,225
Lake Carroll Service District Fund	36,292
Lynhaven Lane Service District	5,500
Tourism Fund	2,897,815
Transportation Fund	21,261,014
Transportation Impact Fee - County-Wide Fund	775,000
Utilities Funds	101,444,621

IV. SCHOOLS FUNDS:

Construction Fund	66,702,127
Grants Fund	14,553,293
Health Services Fund	34,300,170
Nutrition Services Fund	19,433,783
Schools Operating Fund	366,829,677
Workers' Compensation Fund	1,201,391

; and

BE IT FURTHER RESOLVED to comply with the County's Capital Projects Budget and Appropriation Policy all large-scale capital projects beginning in the first year of the Capital Improvement Program (CIP), shall be budgeted in whole and shall be appropriated in phases as projects move forward; and

BE IT FURTHER RESOLVED that the Board intends to consider the appropriation of the FY2023 funds budgeted but unappropriated, following the mid-year and third quarter review and completion of the FY2022 audit, in consideration of the then current financial conditions; and

BE IT FURTHER RESOLVED that at the close of the fiscal year, all appropriations shall lapse for budget items other than capital projects, commitments, and grants. The following appropriations shall be maintained as noted or until the Board, by resolution or ordinance, changes or eliminates the designated appropriations:

- (i) Capital projects, until the completion of the project;

- (ii) Commitments; and
 - (iii) Grant funds for the duration of the grant.
- ; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve insurance settlements less than One Hundred Thousand Dollars (\$100,000), in concurrence with the County's insurance carrier; and

BE IT FURTHER RESOLVED that to comply with Governmental Accounting Standards Board's standards and generally accepted accounting practices, some projects or sets of accounts may need to be moved between funds, and the County Administrator is authorized to make such transfers; and

BE IT FURTHER RESOLVED that to ensure the taxpayers of Stafford County are paying the lowest tax rates possible, all outside funding sources such as state funds, federal funds, proffers, and user fees will be designated to be spent first, with any local matches that are required. After these funds are spent, local tax dollars may be spent.

Item 5. Capital Projects (Utilities); Authorize the Interim County Administrator to Execute a Contract with Sagres Construction Corporation for Construction of the Claiborne Run Force Main, Phase 1B.

Resolution R22-158 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SAGRES CONSTRUCTION CORPORATION FOR CONSTRUCTION OF THE CLAIBORNE RUN FORCE MAIN, PHASE 1B

WHEREAS, the Claiborne Run Force Main, Phase 1B (Project) is a part of the County's Capital Improvement Program (CIP), to provide additional conveyance capacity from the Falls Run and Claiborne Run Pump Stations; and

WHEREAS, the Phase 1A project, from Rumford Road to the Little Falls Run Wastewater Treatment Facility, was recently completed, providing some added flow benefit and satisfaction of the Virginia Department of Environmental Quality's (DEQ) order of consent; and

WHEREAS, this Project, from Rumford Road along VA Route 3 and Naomi Road, to the CSX rail bridge, was designed by Sullivan, Donahoe and Ingalls; and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation for Bids (IFB) #22-020-9408SB to construct the Project, and included an additive item for a bypass connection; and

WHEREAS, Sagres Construction Corporation was determined to be the lowest responsive and responsible bidder providing a bid; and

WHEREAS, funds are available and have been appropriated in the Utilities Capital Improvement Program (CIP) Fund for this Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to execute a contract with Sagres Construction Corporation for the construction of the Claiborne Run Force Main Phase 1B project, to include the bypass connection, in an amount not to exceed Nine Million Four Hundred Eighty-Four Thousand Dollars (\$9,484,000), unless modified by a duly authorized change order.

Item 6. Capital Projects (Utilities); Authorize the Interim County Administrator to Execute a Contract with Jacobs Engineering Group, Inc. for Design Engineering Services, Replacement of Obsolete Electrical Equipment, Heating Systems, and Chemical Feed System at the Smith Lake Water Treatment Facility.

Resolution R22-159 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH JACOBS ENGINEERING GROUP INC. FOR DESIGN ENGINEERING SERVICES, REPLACEMENT OF OBSOLETE ELECTRICAL EQUIPMENT, HEATING SYSTEM, AND CHEMICAL FEED SYSTEM AT THE SMITH LAKE WATER TREATMENT FACILITY

WHEREAS, Jacobs Engineering Group Inc. (Engineer) was selected to provide preliminary engineering services relating to the Smith Lake Water Treatment Facility, Phase II Upgrades (Project); and

WHEREAS, the Engineer completed the initial contract with submission of a final report defining several areas of deficiency in the plant and recommending a three-phase approach to correct the deficiencies due to high estimated overall cost; and

WHEREAS, these additional engineering services may be procured via a task order through the County's On-Call Professional Engineering Services Contract for Utilities Construction Projects, Contract No. 22-004-5001-SP-JAC; and

WHEREAS, the Engineer has submitted a proposal to provide preliminary and final design work, bidding documents, and bid phase services for \$556,750.00; and

WHEREAS, staff reviewed the proposal received from the Engineer and determined it to be reasonable for the scope of services proposed; and

WHEREAS, funds for the Project are available in the Capital Projects, Utilities Division, Capital Improvement Program fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June 2022, that the Interim County Administrator be and he hereby is authorized to execute a task order with Jacobs Engineering Group Inc. to provide engineering services for the Smith Lake Water Treatment Facility, Phase II Upgrades project in an amount not to exceed Five Hundred Fifty-Six Thousand Seven Hundred Fifty Dollars (\$556,750), unless modified by a duly-authorized contract amendment.

Item 7. Capital Projects Transportation; Authorize the Interim County Administrator to Amend the Construction Contract for the Access Road to the Old Duff House in Duff McDuff Green Park.

Ms. Vanuch said she would defer to Ms. Gary to discuss the issue of Item 7 and her role as the CEDC Chairman as well.

Ms. Gary said they were not aware of this issue until the very last minute and the necessary expenses that had incurred. She said her understanding was just over the last couple of weeks, so they just needed some more information on that, and asked Mr. Counsell to share some of that with them so they could navigate it.

Mr. Counsell thanked the Chair and members of the Board. He introduced himself as Bryon Counsell, Director of Capital Projects, and said he was here to provide some additional information from the CEDC earlier regarding the McDuff House Access Road and parking lot. He said it was a quick overall scope and status report. He said the project consisted of about 1,600 feet or one-third of a mile of gravel access road and a parking lot of about 56 spaces. He said the Board awarded about \$50,000 of ARPA money last year to complete the project, it was awarded to a company in 2022 this past spring at about \$370,000, and the project began on May 2, 2022.

Mr. Counsell said currently, the entire access road was complete, it was undercut by 2-3 inches with GeoGrid installed. He said they had to navigate around a very old and famous tree on the east coast or perhaps the entire country with one of the largest *Ginkgo biloba* trees known. He said the drive aisles and parking areas all were going to require undercutting and additional stone, and they were expecting the cost of the project to be approximately \$502,000, which was \$52,000 more than the Board had previously awarded.

Mr. Counsell said the work was on hold while the request was being considered and said again that the costs were approximately \$502,000 which included the full scope of work. He said staff cannot authorize the additional work without the appropriated funding, and all of the rest of the work on the project would take about one more week to complete, and that was why the contractor

was on hold until a decision was made. He said if no funding was awarded, there were some options to eliminate scope.

Mr. Counsell said they would eliminate the bus parking area, which would save about \$50,000, however, one of the top priorities was for the tribe to have some bus parking for school field trips. He said they could eliminate the wheel stops in the parking area and save about \$9,000, since it was a gravel parking lot there were no lined spaces, so there were wheel stops identifying where the spaces were. He said that based on some over and under runs on the project, they could negotiate some lower rates for some of the unit prices, which could save a few thousand dollars.

Mr. Counsell said at the CEDC meeting, it was requested that some visual graphics be provided. He showed an image of the overall plan view of the project, to the left was the windy access road that was about one-third of a mile, and to the right was the parking lot. He said the house that he believed everyone was familiar with was to the left and bottom of the parking lot. He said a framed house and brick patio was to remain, and that was where the sidewalk led to. He showed an enlarged image of the parking lot with the area that they would eliminate from the scope of work. He said it had already been excavated, but it could be dealt with in a way to keep it with drainage and to plant grass on it, and that part of the scope could be eliminated. He said he would be happy to answer any questions they may have.

Ms. Yeung thanked Mr. Counsell for the visual parts of his presentation. She asked if, for the week that was left, it could be said that they would not run into another issue in terms of the ground. She asked if they knew for sure now that the ground that they were going to cover for the bus parking lot was going to be it.

Mr. Counsell said they had done as much work as they could to be confident that the undercut that was prescribed by the technical engineer that, when filled with stone and GeoGrid, the expectation was that the work would be good. He said to say with absolute certainty that they would not run into more issues was a statement he could not make.

Mr. Smith said that was the reason the request was for \$75,000 even though they knew that \$52,000 was needed. He said the request was for \$75,000 so that they would not have to come back to the Board and delay the contractor for a month.

Ms. Yeung thanked Mr. Smith for the explanation.

Ms. Gary said she was glad they were being careful in preserving things that were necessary in this process given their unique situation in Stafford, and that they ought to be doing that, but it was costly, as they had seen. She said she wanted to support this, but with a caveat. She said that finding

out about something like this at the last minute, she understood there were constraints and that it happened very quickly, but to find out the day that they would have to make decisions was difficult for them and should not happen, and if it happened within the past two weeks, they should find out sometime within those past two weeks preferably in the future for things like this, and hopefully, that can be conveyed back to the tribe as well so they had adequate time to make these adjustments.

Ms. Bohmke said she was not happy they had come out over budget, but she understood that the ground there was old. She asked if it was correct that they were still using ARPA money.

Mr. Counsell said the additional money they used out of County reserves with the intent to go back to Finance, Audit, and Budget Committee for the Board to consider replenishing that with ARPA.

Ms. Bohmke said that was correct. She said in the final analysis it would hopefully be with ARPA money if the Board agreed. She said one of the main reasons the tribe was building that was to assist the school-age children with buses, and one of the big things they considered all the time was public safety, so if they took those bus spots out, they were really hurting themselves and were not making their facility as safe as it could possibly be.

Ms. Bohmke said she was on a bus when they did the VACo tour, and she would not want to be a bus driver and navigate the things her driver did. She said she was not happy about the overrun of the budget, but they had gotten this far with the tribe, and they spent a lot of money and resources of their own. She said she would support it, but she was not happy about it. She said they had come this far with them and needed to make sure it was right and included the bus ramps.

Mr. Coen asked if the cost overrun was from the people doing the work and not something the tribe did.

Mr. Counsell said nothing was caused by the tribe. He said the overrun was due to unanticipated soils that were not consistent with the geotechnical boring that they did, and they had to do undercuts.

Ms. Gary asked if they were aware of the issues happening with the finances at all. She asked who was aware that could have brought it to them.

Mr. Smith said it was a County project, and they had been managing this project and had been working through them. He said this was something the Board had directed staff to do, so this was a County project.

Ms. Gary asked when staff had become aware of this.

Mr. Smith responded the previous week.

Ms. Gary said that last week was when they should have received an email.

Mr. Smith agreed.

Ms. Vanuch said part of the challenge in CEDC was that in Consent on the Agenda originally was sort an update specific to the tribe, not necessarily the project the County was doing, and then in CEDC they were being told they had to go over budget on a project by \$75,000. She said she knew they executed the contract to pay for the actual costs, but in the future for things like this where the ground might be a challenge, it would be prudent if they could also quote out firm fixed-price contracting. She said she understood the intent of this project and the importance of the bus spaces and finishing the project. She said she would be voting against it because she did not agree with committing to a project and running over the cost and over the budget.

Ms. Allen said in their defense, she found out this week that one of the reasons the project for the I-95 HOT lanes was delayed was because they found dinosaur sand. She said those were things they could not really budget for or expect, so she would not fault them for being over-budget. She said they were also living in a commodities market where things were exponentially overpriced. She said it would have been ideal to have a fixed contract, but given the market today for goods and commodities and the unique nature of Virginia, they had to have some grace. She said she would support it because they were 95% done, so it did not make sense to leave the 5%, especially when the genesis of the project was to have the bus ramps.

Ms. Yeung said she would support the project, but she also was unhappy and was glad they had the visual and that they pulled it, because they were on the committee. She said if it was her money, that was one thing, but this was the people's money, so she wanted to make sure they were transparent. She said it was ARPA right now, but in the long run, it was the people's money.

Mr. Coen motioned, seconded by Ms. Yeung, to approve proposed Resolution R22-159.

Ms. Vanuch said she appreciated Supervisor Allen's comments on the Transurban issue, and they actually did a firm fixed-price contract, so it was not costing the taxpayers additional money even though there was a delay. She said that was the reason she was voting against this.

Ms. McClendon said the correct Resolution was R22-163.

Mr. Coen accepted and Ms. Yeung accepted that amendment to the motion.

The Voting Board tally was:

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

Resolution R22-163 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO AMEND THE CONSTRUCTION CONTRACT FOR THE ACCESS ROAD TO THE OLD DUFF HOUSE IN DUFF MCDUFF GREEN PARK, LOCATED IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, in 2021, the Board previously approved \$450,000 for an access road and parking lot at Duff McDuff Green Park to support the Patowomeck Indian Tribal Center (Project); and

WHEREAS, the Project was designed and advertised for construction with a construction contract awarded to BZ Excavating Inc.; and

WHEREAS, the value of the work was proposed to cost \$368,561.43, however excavation of the access road and the placement of stone could exceed the estimated quantities by up to \$150,000; and

WHEREAS, additional funds above the current \$81,438 in available funding may be required to complete all the necessary work;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to amend the construction contract for the McDuff House Access Road and Parking Lot Project, constructed by BZ Excavating Inc. pursuant to Stafford County Contract No. 22-023-4111SB, for a total contract amount not to exceed Five Hundred Twenty-five Thousand Dollars (\$525,000), unless amended by a duly authorized change order.

Item 8. Fire and Rescue; Authorize the Interim County Administrator to Approve Purchase Three Ambulances and Related Equipment from Laake Enterprises, Inc. D/B/A Fesco Emergency Sales.

Resolution R22-156 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO PURCHASE THREE AMBULANCES AND AMBULANCE EQUIPMENT FROM LAAKE ENTERPRISES, INC. D/B/A FESCO EMERGENCY SALES

WHEREAS, the County's Department of Fire, Rescue, and Emergency Services (Department) operates ambulances as part of its all-hazard approach to emergency response; and

WHEREAS, three of the Department's ambulances are scheduled for replacement based on criteria set forth in the Department's Fleet Replacement Plan; and

WHEREAS, the ambulances may be cooperatively procured from Laake Enterprises, Inc. doing business as FESCO Emergency Sales, through Stafford County Rider Agreement No. 22-001-3220CO; and

WHEREAS, the purchase of additional ambulance equipment not under the cooperative contract has been approved by the County's Chief Financial Officer as a sole source purchase through Laake Enterprises, Inc., in accordance with the County's Procurement Policy; and

WHEREAS, the Department has evaluated the prices and find the costs to be reasonable for the type of ambulances and related equipment desired; and

WHEREAS, funding in the amount of \$999,000 for this purchase is available in the Fiscal Year (FY) 2022 Capital Improvement Program (CIP) Repair, Replacement, and Rehabilitation (3R) Projects Fund, approved pursuant to Resolution R21-102; and

WHEREAS, the remaining funding in the amount of \$24,355 is available in the Virginia Department of Health \$4 for Life Return to Locality Funds and may be used for this purchase;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to purchase three ambulances and related equipment from Laake Enterprises, Inc., doing business as FESCO Emergency Sales, in an amount not to exceed One Million Twenty-Three Thousand Three Hundred Fifty-Five Dollars (\$1,023,355), unless amended by a duly-authorized contract amendment.

Item 9. Human Services; Adopt the FY2023-2024 Virginia Juvenile Community Crime Control Act Plan.

Resolution R22-157 reads as follows:

A RESOLUTION TO APPROVE THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT PLAN FOR FISCAL YEAR (FY) 2023 AND FY2024

WHEREAS, pursuant to the Virginia Juvenile Community Crime Control Act (VJCCCA), Stafford County receives funding to create additional delinquency prevention programs; and

WHEREAS, the Board is asked to approve the VJCCCA plan for FY2023 and FY2024 (Plan); and

WHEREAS, Mr. Vincent Butaitis, Executive Director, 15th District Court Service Unit and the County's Community Policy and Management Team, reviewed and approved the Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Virginia Juvenile Community Crime Control Act Plan (Plan) for the FY2023 and FY2024, as prepared by the 15th District Court Service Unit for the use of these funds received from the Department of Juvenile Justice, be and it hereby is approved; and

BE IT FURTHER RESOLVED that the Interim County Administrator, or his designee, is authorized to execute the Plan and any related or necessary documents.

Item 10. Information Technology; (1) Accept the 2022 Virginia Telecommunication Initiative (VATI) Grant to Extend Broadband Service to Unserved Areas, (2) Budget and Appropriate the Grant Funds, and (3) Authorize the Interim County Administrator to Execute Associated Agreements with Comcast of Virginia, LLC and the Virginia Department of Housing and Community Development.

Resolution R22-110 reads as follows:

A RESOLUTION (1) ACCEPTING THE 2022 VIRGINIA TELECOMMUNICATION INITIATIVE (VATI) GRANT TO EXTEND BROADBAND SERVICE TO UNSERVED AREAS, (2) BUDGETING AND APPROPRIATING THE GRANT FUNDS, AND (3) AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ASSOCIATED AGREEMENTS WITH COMCAST OF VIRGINIA, LLC AND THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, on September 7, 2021 pursuant to Resolution R21-322, the Board authorized the County Administrator to submit a Virginia Telecommunication Initiative (VATI) grant, application with co-applicant Comcast of Virginia, LLC (Comcast) to provide broadband internet service to up to 634 homes in the Hartwood and Rock Hill Election Districts, which has since been increased to 661 homes (Project); and

WHEREAS, the Virginia Department of Housing and Community Development (DHCD) awarded the County \$3,398,153 in VATI grant funds for the Project to be constructed and maintained by Comcast; and

WHEREAS, the County will provide a \$1,500,000 match using American Rescue Plan Act (ARPA) funds, previously appropriated by the Board pursuant to Resolution R21-263; and

WHEREAS, Comcast will provide \$864,383 in matching funds for the Project; and

WHEREAS, acceptance of the grant funds requires execution of agreements with Comcast and DHCD specifying the requirements of the grant and the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Virginia Telecommunications Initiative (VATI) grant award in the amount of Three Million Three Hundred Ninety-Eight Thousand One Hundred Fifty-Three Dollars (\$3,398,153) from the Virginia Department of Housing and Community

Development (DHCD), to be allocated to Comcast of Virginia, LLC (Comcast) for construction and project costs related to the extension of broadband services to unserved areas of Hartwood and Rock Hill Election Districts, be and it hereby is accepted; and

BE IT FURTHER RESOLVED that Three Million Three Hundred Ninety-Eight Thousand One Hundred Fifty-Three Dollars (\$3,398,153) in VATI grant funds are budgeted and appropriated to the Grant's Fund, VATI Grant Project Fund for fiscal year 2023; and

BE IT STILL FURTHER RESOLVED that the Interim County Administrator is authorized to execute agreements with Comcast and DHCD, which together sets forth the terms and conditions of the disbursement of grant funds and Project requirements.

Item 11. Information Technology; Authorize the Interim County Administrator to Approve Additional Expenditures with Dell Marketing L.P. to Purchase Computers, Computer-Related Equipment, and Warranties.

Resolution R22-137 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE COMPUTER, COMPUTER AND NETWORK-RELATED EQUIPMENT, WARRANTIES, SOFTWARE AND SERVICES FROM DELL MARKETING L.P

WHEREAS, and the County replaces most desktops, laptops, servers and other computer and network-related equipment on a five-year replacement program as a critical part of the County's technology operations; and

WHEREAS, and the County uses the Virginia Information Technologies Agency (VITA) contract with Dell Marketing L.P.; and

WHEREAS, the equipment and warranty purchases will not exceed \$750,000 for the contract year and the funds are available in the General Fund and the Utilities Fund; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that it be and hereby authorized to execute a contract with Dell Marketing L.P, for the replacement and purchase of computer and network-related equipment, warranties, software and services in an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000) unless amended by a duly executed contract amendment.

Item 12. Information Technology; Ratify the Contract with CDW Government LLC and Approve Additional Expenditures for Computer and Network-Related Equipment, Warranties, Services, and Software.

Resolution R22-139 reads as follows:

A RESOLUTION TO RATIFY THE CONTRACT WITH CDW GOVERNMENT LLC AND APPROVE ADDITIONAL EXPENDITURES FOR COMPUTER AND NETWORK-RELATED EQUIPMENT, WARRANTIES, SERVICES, AND SOFTWARE

WHEREAS, the Department of Information Technology (Department) desires to purchase computer and network-related equipment, warranties, services, and software, including Office 365, which is a critical part of the County's technology infrastructure and programming and enables the County to execute replacement of equipment needed by all staff; and

WHEREAS, the County executed a contract with CDW Government LLC on May 12, 2021, Rider Agreement No. 21-058-3120CI, riding Fairfax County Contract No. 4400006325 for Information Technology hardware, software and related services; and

WHEREAS, the current contract term is through December 4, 2023, with two additional one-year renewal terms; and

WHEREAS, the Department anticipates the total contract cost over the remaining renewal terms will exceed \$200,000, necessitating Board approval of the contract; and

WHEREAS the purchase of computer and network-related equipment, warranties, services, and software, to include Office 365 products and support, from CDW Government LLC shall not exceed \$765,277 for the current contract term and funds are available in the General Fund and Utilities Fund for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the contract with CDW Government LLC, Stafford County Rider Agreement No. 21-058-3120CI, for Information Technology hardware, software and related services, for one year with five one-year renewal terms be and it hereby is ratified; and

BE IT FURTHER RESOLVED that the Interim County Administrator is authorized to execute the two remaining contract renewal terms, for a total contract amount not to exceed Seven Hundred Sixty-Five Thousand Two Hundred Seventy-Seven Dollars (\$765,277), unless amended by a duly-authorized contract amendment.

Item 13. Utilities; Authorize the Interim County Administrator to Approve Additional Expenditures and Execute Renewals for Water and Wastewater Treatment Chemicals.

Resolution R22-147 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES AND EXECUTE RENEWALS FOR WATER AND WASTEWATER TREATMENT CHEMICALS

WHEREAS, Department of Utilities, Operations, requires various chemicals for the treatment of water and wastewater; and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation for Bid #20-5030-SB118 to provide water and wastewater chemicals for one year with four optional, one-year renewal terms; and

WHEREAS, Fiscal Year (FY) 2023 will be the second of four, one-year contract renewal terms for the following treatment chemical suppliers:

Vendor	Chemical
Univar Solutions USA, Inc., formerly Univar USA, Inc.	Hydrofluorosilicic Acid, Caustic Soda, Sodium Bisulfite
Kemira Water Solutions	Liquid Ferric Sulfate
Chemtrade Chemicals US LLC	Aluminum Sulfate
Polytec, Inc.	Calcium Hydroxide Slurry
George S. Coyne Chemical Co., Inc.	Citric Acid CMC150

; and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation for Bid #20-5030-SB161 to provide water and wastewater chemicals for one year with four optional, one-year renewal terms; and

WHEREAS, Fiscal Year 2023 will be the second of four, one-year contract renewal terms for the following treatment chemical suppliers:

Vendor	Chemical
Premier Magnesia. LLC	Magnesium Hydroxide
Source Technologies, LLC	Hydrogen Peroxide
Univar Solutions USA, Inc.	Ammonium Hydroxide

; and

WHEREAS, the County has an annual contract with George S. Coyne Chemicals Co., Inc. as the sole distributor of Sterling Water Technologies' CP-78D and CP-711 corrosion inhibitor, Contract #20-5025-SS001B, and an annual contract for sole source polymers Magnafloc LT-27 and LT-7996 polymer, Contract #20-5010-SS044A, both are currently up for renewal; and

WHEREAS, Source Technologies, LLC has an annual contract to provide proprietary odor control reagents, ETX and STX, Contract #20-5080-SS001B, that is currently up for renewal; and

WHEREAS, funds are available for these chemicals in the FY2023 Utilities Enterprise Fund, Operating Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to execute contract amendments for one year with the following vendors to provide the following water and wastewater treatment chemicals:

Vendor	Chemical	Price	FY2023 Expenditures
Univar Solutions USA, Inc.	Hydrofluorosilicic Acid	\$465.00 per dry ton	\$31,248
Univar Solutions USA, Inc.	Sodium Bisulfite	\$4.91 per gallon	\$51,555
Univar Solutions USA, Inc.	Caustic Soda	\$1,021.00 per dry ton	\$525,304
Univar Solutions USA, Inc.	Ammonium Hydroxide	\$3.13 per gallon	\$115,027
Kemira Water Solutions	Liquid Ferric Sulfate	\$2,252.33 per dry ton	\$728,404
Chemtrade Chemicals US LLC	Aluminum Sulfate	\$421.00 per ton	\$441,000
Polytec, Inc.	Calcium Hydroxide Slurry	\$.078 per gallon	\$399,000
Premier Magnesia LLC	Magnesium Hydroxide	\$3.044 per gallon	\$585,480
Source Technologies, LLC	Hydrogen Peroxide	\$4.85 per gallon	\$165,000

;and

BE IT FURTHER RESOLVED that the Interim County Administrator is authorized to execute the following contract renewals for one year with the following vendors to provide the following corrosion inhibitors and odor control chemicals:

Vendors	Chemical	Price	FY2023 Expenditures
Source Technologies, LLC	STX	\$24.00 per gallon	\$180,000
Source Technologies, LLC	ETX	\$6.00 per gallon	\$45,000

;and

BE IT STILL FURTHER RESOLVED that the Interim County Administrator is authorized to execute the following contract renewals for ninety (90) days with the following vendors to provide the following water and waste water chemicals, corrosion inhibitors, odor control chemicals, and polymers:

Vendors	Chemical	Price	FY2023 Expenditures
George S. Coyne Chemical Co., Inc.	Citric Acid CMC 150	\$11.51 per gallon	\$193,370

George S. Coyne Chemical Co., Inc.	CP-78D	\$2.09 per pound	\$100,947
George S. Coyne Chemical Co., Inc.	CP-711	\$0.879 per pound	\$92,295
George S. Coyne Chemical Co., Inc.	Magnafloc LT-27	\$2.80 per pound	\$30,800
George S. Coyne Chemical Co., Inc.	Magnafloc LT-7996	\$1.23 per pound	\$14,595

Item 14. Utilities; Authorize the Interim County Administrator to Execute a Task Order with Sagres Construction Corporation for Easement Clearing and ByPass Pumping for the I-95/Austin Run Sanitary Sewer Replacement Project.

Resolution R22-152 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH SAGRES CONSTRUCTION CORPORATION FOR EASEMENT CLEARING AND BYPASS PUMPING FOR THE I-95/AUSTIN RUN SANITARY SEWER REPLACEMENT

WHEREAS, on March 15, 2022, pursuant to Resolution R22-47, the Board authorized the execution of a Utility Betterment Agreement (Agreement) with Branch-Flatiron, Joint Venture to replace and upgrade the Austin Run Interceptor sewer main as part of the Interstate 95 (I-95) Express Lanes Fredericksburg Extension Project (Project); and

WHEREAS, the bypass pumping and easement clearing are the County's agreed upon services in the Agreement for the installation of a new 36-inch sewer main under I-95; and

WHEREAS, the easement clearing to access the pumping area will be located from the suction manhole, located on the west side of I-95 in Whitson's Run and the discharge manhole is located east side on I-95 next to Austin Park Drive; and

WHEREAS, the temporary bypass for the sanitary sewer line includes delivery, installation, maintenance and removal of one bypass system; and

WHEREAS, the work may be procured via a task order through the County's the Utilities On-Call General Construction Contract with Sagres Construction Corporation, Contract #21-003-5030SB-R-SC; and

WHEREAS, staff reviewed the cost proposal and determined it to be reasonable for the scope of work desired; and

WHEREAS, funds are available in the Utilities Capital Improvement Program (CIP) Fund and may be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to execute a task order with Sagres Construction Corporation for the easement clearing and by-pass pumping in support of the Interstate 95 (I-95)/Austin Run sewer main replacement, as part of the I-95 Express Lanes Fredericksburg Extension Project, in an amount not to exceed Two Hundred Sixty-Six Thousand Three Hundred Eight Dollars (\$266,308), unless modified by a duly-executed change order.

Item 15. Utilities; Authorize the Interim County Administrator to Execute a Task Order with Sagres Construction Corporation for the Replacement of an Aerial Sewer Main.

Resolution R22-160 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH SAGRES CONSTRUCTION CORPORATION FOR THE REPLACEMENT OF AN AERIAL SEWER MAIN

WHEREAS, the obsolete aerial sewer main components, serving portions of the Grafton Village community, located in the vicinity of 600 and 602 Payton Drive, are beyond their serviceable life and need immediate replacement of the sewer main pipe, structural supports, and related appurtenances to avoid any disruption to sanitary services and potential environmental impacts; and

WHEREAS, this critical scope of work includes demolition of the old pipe and support structures, installation of new manhole structures, new ductile-iron pipe, concrete helical support piers, and related appurtenance; and

WHEREAS, the work may be procured via a task order through the Utilities On-Call Construction Contract with Sagres Construction Corporation, Contract #21-003-5030SB-R-SC; and

WHEREAS, staff reviewed the proposal and determined it to be reasonable for the scope of work desired; and

WHEREAS, funds are available in the Utilities Capital Improvement Program (CIP) Fund and may be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to execute a task order with Sagres Construction Corporation for the replacement of a failing aerial sewer main and supporting structure located in the Grafton Village community, in an amount not to exceed Two Hundred Forty-Three Thousand Six Hundred Nineteen Dollars (\$243,619), unless modified by a duly-executed change order.

ADD-ON TO THE CONSENT AGENDA

County Administration; Receive Central Rappahannock Regional Library's Quarterly Report.

Finance; Authorize the Interim County Administrator to Execute Contract Renewals with the Virginia Association Of Counties Group Self Insurance Risk Pool, and Brown & Brown Insurance Agency of Virginia, Inc. for Insurance Coverage for Fiscal Year (FY) 2023.

Resolution R22-149 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE CONTRACT RENEWALS WITH THE VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL, AND BROWN & BROWN INSURANCE AGENCY OF VIRGINIA, INC. FOR INSURANCE COVERAGE FOR FISCAL YEAR (FY) 2023

WHEREAS, staff reviewed the County's insurance coverage claims experienced and related costs for FY2022; and

WHEREAS, pursuant to Resolution R22-149, the Board appropriated, funds for the County's insurance needs for FY2023; and

WHEREAS, the Virginia Association of Counties Group Self Insurance Risk Pool (VACORP) submitted a policy renewal proposal to the County for general liability, property, automobile, Line of Duty, cyber, inland marine, animal mortality, volunteer, and Workers' Compensation coverage; and

WHEREAS, VACORP submitted a policy renewal proposal to the County for accident and sickness insurance for the Fire and Rescue Volunteers, the Sheriff's Deputies, and Sheriff's Auxiliary Groups; and

WHEREAS, VACORP submitted a policy renewal proposal to the County for the County's Fire and Rescue insurance for general liability, property, crime, and automobile; and

WHEREAS, Volunteer Firemen's Insurance Services (VFIS) through Brown & Brown Insurance Agency of Virginia, Inc. submitted a policy renewal proposal, pursuant to a solicitation VACORP performed on behalf of Stafford County in 2015, for increased benefits for the Fire and Rescue Volunteers, Sheriff's Special Deputies, and Sheriff's Auxiliary Groups; and

WHEREAS, staff determined that these proposals are reasonable for the scope of services provided;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to execute annual contract renewals with the Virginia Association of Counties Group Self Insurance Risk Pool (VACORP) for general liability, property, automobile, Line of Duty, cyber, inland marine, animal mortality, volunteer, and Workers' Compensation insurance in an amount not to exceed One Million Eight Hundred Eighty-Eight Thousand Eight Hundred Sixty-One

Dollars (\$1,888,861); VACORP workers' compensation for the Volunteer Fire and Rescue, Sheriff's Special Deputies, and Sheriffs' Auxiliary Groups in the amount not to exceed Sixty-Two Thousand Nine Hundred Thirty-Seven Dollars (\$62,937); and Fire and Rescue general liability, property, crime, and automobile insurance in the amount not to exceed One Hundred Eighty-One Thousand Six Hundred Seventy-Two Dollars (\$181,672), unless amended by a duly executed contract amendment; and

BE IT FURTHER RESOLVED, that the Interim County Administrator is authorized to execute the annual contract renewal with Volunteer Firemen's Insurance Services (VFIS) through Brown & Brown Insurance in an amount not to exceed Seventy-Two Thousand Eight Hundred Seventy-Nine Dollars (\$72,879).

UNFINISHED BUSINESS

Item 16. Planning and Zoning: Consider a Request for Conditional Use Permit Application Fee Refund for CUP21153792 (Project Known as Westlake).

Mr. Harvey said this was a continuation of an item that was discussed as new business at their last meeting. He said Westlake had requested a full refund of their application fees. He said they paid \$18,525 to have their Conditional Use Permit application processed. He said the Conditional Use Permit application was for retirement housing as part of an overall rezoning and proffer amendment to expand the Westlake project. He said unfortunately, those applications did not move forward and they expired. He said the applicant was requesting a full refund of the total amount that was paid.

Mr. Harvey said that staff estimated that work on the application would equate to about \$690. He said staff would suggest that the Board consider refunding the total amount minus the \$690, which would equal \$8,573.37. He noted that Resolution R22-146, if the Board chose to consider it, would refund the full application fee, not what staff was recommending. He said if the Board wanted to pursue what staff recommended, they needed to modify the Resolution to reflect the \$8,573.37. He said the total paid was 18. He said their code allowed them to receive 50% refund, and they were asking for a 100% refund. He said staff was recommending less than 100%, basically the 100% minus the difference of what they estimated was staff time put into processing the application.

Ms. Vanuch asked if there were any questions.

Ms. Bohmke asked Mr. Harvey if the amount they would put in the resolution would be \$8,573.37.

Mr. Harvey said the total refund would be \$9,262.37 plus \$8,573.37, which was the 50% plus the other 50%, minus the staff time.

Ms. McClendon said for clarity, in the background report, that would be a total of \$17,835.25, and they recommended they used the total amount because that was what was in the resolution for clarity.

Ms. Yeung asked what if they did not give them the refund.

Mr. Harvey said it was a request from the applicant. He said their ordinance that the Board adopted for all fees said they were entitled to a 50% refund, so that would occur administratively regardless of how the Board voted today, but the applicant was asking for more than what was required by the ordinance, so it was the Board's discretion.

Ms. Allen asked what the origin of the 50% refund was. She said she was pretty sure they knew what their fee schedule was.

Mr. Harvey said he believed the applicant's representative conveyed to him that they felt it was fair to receive more than 50% refund since the application did not go very far in the process.

Ms. Allen said that did not make any sense. She said based on that comment alone, she would not be in favor of that.

Ms. Vanuch asked if it was correct that this was for a CUP that they never voted on.

Mr. Harvey said that was correct. He said it did not go to public hearing with the Planning Commission or the Board.

Ms. Vanuch said last year, Vulcan had a Conditional Use Permit and a rezoning application brought forward, and then they pulled it the night before they had a public hearing scheduled. She asked if they could also come back and ask for their money back.

Mr. Harvey said they could not because they had a public hearing.

Ms. Vanuch said that was through the Planning Commission, but they did not have a public hearing for the Board.

Mr. Harvey said their Code said they could receive a 50% refund if no public hearings had been held.

Ms. Vanuch asked if that included the Planning Commission.

Mr. Harvey said that was correct.

Ms. Vanuch said she was concerned about the precedent here. She said she would be voting against this because she thought it was ridiculous. She said she wanted to make sure it would not set a precedent if for some reason other Board members did support this. She said she did not think it was a good idea to allow this, because she thought it was very shady when developers pulled their items before the public hearing, and this incentivized that and gave them an opportunity to get money back. She said she would not support anything close to that.

Ms. Yeung said she would pass, because that was the question she had. She said she did not support that.

Ms. Allen said her follow-up question was, besides their response to what was said being unacceptable, she would like to know how much staff time, even if they did not make it to a public hearing, how much staff time was devoted to their application.

Mr. Harvey said it was a number of hours devoted to several different staff people. He said they had staff that took in the application, prepared it for posting on the web, other staff took the application and sent it around for comments.

Ms. Allen said her point was that staff actually did the work and it was not on the County's behalf that they were held up, and they chose to withdraw the application after staff put in effort, and now they wanted a refund past the agreed schedule fee. She said they had to look at the application process to know what they were entitled to. She said if they were going to ask for excess, they should make a compelling argument because they were saying the staff time was worth nothing. She said that was how she interpreted it.

Mr. English said he agreed.

Mr. English motioned, seconded by Ms. Allen, to deny approval of proposed Resolution R22-146.

Ms. Vanuch asked if there were any comments.

Mr. English said as Ms. Allen said, Mr. Harvey's staff did a lot of work and it was ridiculous for them to ask for a full refund. He said he agreed with the rest of the Board and that was the reason he voted no.

Ms. Gary said it was quite frustrating, and she wanted it to be heard clearly for people who put the applications in with the County. She said she believed in relationships and that they should work

well with people, but this was disrespectful, and she did not think this was an appropriate way to treat people who put their time in and staff work. She said to not do this again.

Ms. Vanuch requested for The Freelance Star to quote that. She asked the Board members to cast their votes.

The Voting Board tally was:

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

Ms. Vanuch said the request for the refund had been denied. She introduced the next item.

Item 17. Discuss Lake Carroll Service District Financing.

Mr. Coen said before Mr. Counsell had presented, this was something they had been working on, and thanks to changes by the state and inflation, the cost had gone up, so the residents who were paying for the work were looking for a way to take care of what had become even more expensive.

Mr. Counsell said that was an accurate description. He said that all the data was in the background report and that he did not prepare a PowerPoint presentation. He said the Service District was approved in 2017 with an amendment in 2019 to afford more of a loan amount to the Service District. He said design had gone through 2020 and 2021, and they advertised the project in late 2021 and again in early 2022. He said both times, the low bid was well in excess of what the approved loan amount was. He said through quite a bit of value engineering efforts and struggling to find options for the full scope of work, the only thing that could do the full scope of work was additional funding.

Mr. Counsell said the Property Owner's Association was inquiring about the Board's position for providing additional loan funding for the project, and he believed that was why it was before the Board today. He said there were a couple of options that the Property Owner's Association had. He said they could do some of the work for the approved loan that was in place, but that could not complete the entire project without additional funding from either the County through the Service District, a private entity, or their personal finances, the project could not move forward to completion.

Ms. Bohmke asked what the delta they were discussing was.

Mr. Counsell said between \$700,00-\$775,000 additional funding.

Ms. Bohmke asked what the original amount for the project was.

Mr. Counsell said in 2016 and 2017, the original estimate was \$550,000. He said in 2019, the loan was approved based on new estimate to \$787,500. He said the first bid that came in was \$1.4M, so they rebid because the first bid had to be rejected due to procedural issues with procurement. He said the second bid was \$1.3M, and there were additional permitting fees that were also part of the project, and that was where it came up to between \$700,000-\$775,000 in additional shortfall.

Ms. Bohmke said she understood. She asked if it was a function of what was going on in the construction market right now and the work was just very expensive because they had people doing the express lanes. She said the market was unpredictable, so she questioned if they should wait. She asked if the engineer did not do the proper work.

Mr. Counsell said staff had a lot of confidence in the design work and did not think there were any major issues with the design. He said they believed it was a function of the economy they were in right now, because all of the projects they had were experiencing very similar results. He said he thought there could be a benefit to waiting to see what happened over the next year or so. He said the constraint there was that DCR was requiring this work to be done by a certain time, so he knew the Property Owner's Association wanted to sit down with DCR and discuss their position with them to see if there could be some relief in the time, with the hopes that over time, the project costs would come back down into a manageable range.

Ms. Bohmke said that was what she would recommend. She said DCR had to understand that they had made a good-faith effort all along and done everything they needed to do.

Ms. Allen said she had a similar question. She said she knew inflation for most of their projects had been between 20% and 50%. She said this was almost 100%. She asked if it was that much of an issue of supply and demand with the construction or if there was fundamentally that in the engineering phase that was amiss and they found they were that much short.

Mr. Counsell said he did not think so. He said the work was very basic, clearing the slope to allow this pre-manufactured, synthetic carpet to be put down to protect the downstream slope of the dam. He said he believed it was a function of time and material was more expensive today than it was when it was approved. He said something that was missed in the construction environment right now was that contractors had to assess some risk in their bid prices because they were not guaranteed to have the labor in six months, as well as getting materials due to a contractual time frame. He said they were building in cost-to-risk to make sure they could finish the project, and he thought a lot of projects around the area were experiencing that. He said it was probably 50% cost

and time and 50% of that overrun was just risk the contractor was trying to pay for in case they encountered it.

Ms. Allen said that made sense. She asked if there was any way they could assist with asking DCR for an extension, because as Supervisor Bohmke said, they had done everything they were supposed to do and it was nothing on their behalf, and DCR could not impose something they could not really meet.

Mr. Counsell said they had assisted them as much as possible right now, and they requested to sit down with DCR. He said they had asked them numerous questions about what DCR's position was if they did not move forward with the project in time, trying to get a gauge of what the consequences were, and they had gone unanswered or not answered with much detail, so they were still in the dark about DCR's position.

Ms. Allen asked what if DCR did not budge and said they would give them three or four months. She said they basically would have to help them out.

Mr. Counsell said she did not know what position the County would be in, and he was not sure the County would be obligated other than just through grace, but state code allowed DCR to come in and make certain changes to the dam that either eliminated the danger or did the repair, and they were allowed to lien the property owners for those costs.

Mr. Coen said the residents there were willing to do what they could. He said one of the things they asked for was if there was any likelihood there was extra money in the County to help try to get this done now rather than defer it. He said one of the reasons they brought it forward today was to see if there was an appetite for that. He said regardless, the whole point of the Service District was that they would pay for it, so if the cost went up, they would have to pay more taxes on that, so one of the things they would ask for either way was to give them a longer time period to pay it back so the monthly amount they had to pay to the Service District was no exorbitant for this extra almost-doubling of the cost.

Mr. Coen said this issue came before one of the committees previously, because he remembered Ms. Bohmke asked many questions due to her financial acumen that he had zero knowledge of. He said one of the issues that was coming forward today was if there was an appetite to shift from one area to another area so this project could move along in the time span and at the cost it was now. He said the second thing to be looked at was what Mr. Counsell mentioned, which was that they did something with the money they already had put aside, which had to be done anyway, and then they would see if something better happened in the future so the costs went down.

Mr. Coen said that staff had done phenomenal work to take things out of the scope in sequence rather than it being automatically in there so that the cost could go down. He said staff had been working amazingly to keep the costs of this down as the state and inflation kept pushing it up. He said they had a meeting with the residents and Tara Durant was there to see what the state could do, talked to Senator Stuart to see what was possible to help with this because something going from \$700,000 to \$1.3M in the span of a few years was hard for the people. He said what they would like to know was which way was possible to go forward. He said that was not a unilateral decision by himself, but one to be made by the Board.

Ms. Bohmke asked Mr. Coen and Mr. Counsell if there was any way they could phase this project at all.

Mr. Counsell said that one of the options they discussed was to do some of the preliminary work in the confines of the current approved loan, and either hope for better, more favorable construction costs in the short-term future, or to give the time for the POA to visit with DCR and see if they could get some reprieve on the time constraints.

Ms. Bohmke said she did not think these prices were sustainable.

Ms. Vanuch asked what they needed to do as a Board today. She said she thought the best thing to do was to use their resources with Supervisor Coen to work with DCR, Ms. Durant, and some of the other delegation to ask DCR for a time extension. She said she knew they had granted Lake Arrowhead plenty of extensions when they were working on the acquisition of the easements to repair those dams, so as long as they were making a good-faith effort, usually DCR was pretty favorable in that extension process.

Ms. Vanuch said they might be putting the cart before the horse in this instance. She said they should have that conversation first, and if there was unfinished business, they could easily bring it back should they have more direction, because then they knew what they were working with. She said if DCR said absolutely not and to move forward, they would need to know what were the options at that point. She asked if the Board was okay with that.

Mr. Counsell said yes.

Mr. Coen said it made sense. He asked Ms. McClendon if they went that route, could the discussion of extending the loan to some other time period be discussed at the same time, or would that have to be brought up as a separate item.

Ms. McClendon said it could be discussed at the same time, they would just need to look at what they were going to do with the documents. She said if it required an ordinance, then they would have to hold a public hearing.

Mr. Coen asked for a copy of the PowerPoint from the meeting to be sent to everyone so they could see the work done and the background information. He said he thought that would help them as they went forward.

Ms. Yeung said she agreed with Chairwoman Vanuch with the time extension. She said she also agreed with Supervisor Bohmke in terms of there being another option. She said she was thinking about them being closed into this project, they could not get out of it, and to find someone else who would actually compete with them for a better price, because after a while, people would start looking for work, and other contracts would start coming about and times would turn. She said she wondered if that were something that would put their feet to the fire.

Mr. Smith said this was bid twice, and each time they had multiple bidders, and the prices he was giving them were the lowest bid.

Ms. Yeung thanked Mr. Smith.

Mr. Smith said he wanted to make sure they understood where they were and that the general consensus of the Board was to work with DCR and at this time take no action. He said it had been mentioned that phasing of the project and using the existing money; however, he would warn that if they did that and then the Board decided not to move forward, they could spend that \$750,000 and then get to the point where DCR did not approve that fix, so it might be putting out bad money if there was no additional money coming after it. He said that continuing to work with DCR to try to get at least a time extension so the Board could consider this, and if in the fall they wanted to extend the term of the lease, and that way it would give them time as they got through another budget year to see if they could find additional funds if the Board decided to put it there and how it got paid back.

Mr. Coen said along with keeping in touch with the neighborhood who was paying for it as well.

NEW BUSINESS

Item 18. Human Resources; Consider Options for Providing a Health Insurance Holiday in FY2023.

Ms. Vanuch said Ms. Shannon Wagner would be presenting this item. She said this was a time-sensitive item because the health care fiscal year started July 1, 2022. She asked Ms. Wagner to proceed.

Ms. Wagner greeted the Board and said she was present to talk about possible options to provide a health insurance holiday to County staff. She said this topic first came up during the FY23 budget process, when conversations during work sessions began about offering a health insurance holiday. She said it was decided by the Board that they would wait until after the open enrollment process during May and bring it back to the Board for discussion and potential action in June. She said they would be providing the Board several different options, and the assumption was that these options would cover a 12-month period, but the Board could elect for a time period shorter than that.

Ms. Wagner said on the screen was two options. She said the first option was staff's recommendation, which was to provide a one-time stipend based on the average cost of health insurance in each plan tier that the employee was enrolled in as of June 1 of this year. She said that balanced out the cost of the premiums that an employee would pay out of their paycheck with the potential cost of risk of out-of-pocket expenses when they went to receive care, such as copays, deductibles, and things of that nature. She said staff believed this would be the most equitable option. She said the cost for that would be \$1.37M, and there were savings from previous health insurance of \$1.49M that could be used to fund this. She said it would still be used for health insurance purposes and would not need to impact future budgets.

Ms. Wagner said option 2 was to look forward instead of providing a one-time stipend and to set the premiums for health insurance charges in FY23 at \$0 at all tiers and all plans for current and future employees during FY23. She said this would apply to both medical and dental, and the cost for this option was \$1.97M. She said additional funding would be needed outside of the \$1.46M available and staff would have to come back later to look at additional appropriation.

Ms. Wagner said a third option was provided to the Board in their add-on folder, which was a variation of option 1, a one-time stipend to all employees that were currently enrolled in the plan as of June 1, 2022. She said the primary difference was that it did not average the cost of the three different plan types, so in option 1, employees that were employee-plus-family would receive the same stipend amount, and in this alternate option, if an employee was on the premium plan, the cost of the premium plan would be on the family coverage versus a family on the core plan would get the cost of that premium. She said this premium looked at the actual payroll cost that the employee had contributed and did not look at the potential out-of-pocket costs for care. She said the cost for that was \$1.86M, and additional funding would still be needed beyond the current savings, but not quite as much as option 2.

Ms. Vanuch asked if there were any questions for Ms. Wagner or if an explanation of the new option was needed. She said for the public's transparency and for County employees, they had talked about in their budget work sessions what to do with regards to raises and the cost of inflation, and how to get money back into the pockets of their employees if possible. She said typically, this money could be transferred to OPEB because it was technically their money and their savings.

Ms. Vanuch said every year, they collected money because they were self-insured, and that money they transferred at the end of the year into the OPEB savings, and they were currently at a safe threshold, so this year, instead of transferring the \$1.46M into the savings, they could essentially authorize a one-time payment back to the employees. She said the biggest difference between option 1 and option 2 was the average of what they figured out, so some people would get less than what they paid in and some people might receive more depending on the plan they were enrolled in.

Ms. Vanuch said with option 2, they would actually get back a lump sum check on July 7 of exactly what they were going to be paying in this year into the health insurance plan, which was a little better because if they did option 1, it would not account for new employees who were paying into the healthcare system this year, so it was a little more equitable in that sense. She said she talked to Donna, and they could also do a letter of retention as well, just as they did with the staff bonuses, so if an employee left, they had to pay back the unused portion of the stipend they would be getting for healthcare.

Ms. Vanuch said this would be paid out separately from a paycheck and come on July 7 in a one-time payment to employees. She said the other benefit with this new option, Resolution R22-171, was that it essentially used up the OPEB savings from this year and also used up about \$400,000 of next year's savings, which were projected at \$1M, but that would cover the employees that were just now starting this plan, so the difference of that was for the newer employees who were paying into the plan this year. She said option 3 was basically giving employees a credit on each paycheck received, but as she discussed this issue with staff, it was clear they would much prefer the one-time payment up front due to the economy. She asked if there was any discussion or questions about this.

Ms. Bohmke said she wanted it to be equitable, so if someone put in a certain amount of money, they got that money out. She said she did not think it should be an average, and it needed to be whatever.

Mr. Smith said because it was time-sensitive, they would need a vote, and July 8 would be when the checks would be sent.

Ms. Bohmke motioned, seconded by Ms. Allen, to make Resolution R22-171 time-sensitive.

The Voting Board tally was:

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

No: (0)

Ms. Bohmke motioned, seconded by Ms. Yeung, for approval of Resolution R22-171.

Ms. Wagner said before the Board voted, one point of clarification for staff on the retention agreement was that it was assumed they would stay for the full year or pay it back. She asked if they had a different time period in mind.

Ms. Vanuch said it should be prorated, so if they stayed through October, they would get the difference. She said they could not be charged for what they already paid, because the idea was that they were getting their own money back, so if they paid into the system, it would be a prorated amount.

Ms. Bohmke said she would add that to R22-171 that if they leave, it would be in a prorated manner.

Ms. Yeung agreed.

Ms. Vanuch asked if there was anything else.

Ms. McClendon clarified that that was for the entire year, so they would need to be here through June 30 of 2023.

Ms. Vanuch said yes. She said it was from July 1, 2022 to June 30, 2023.

The Voting Board tally was:

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

No: (0)

Resolution R22-171 reads as follows:

A RESOLUTION AUTHORIZING A HEALTH INSURANCE STIPEND RETURNING PREMIUMS PAID TO ALL EMPLOYEES WHO WERE ENROLLED IN THE COUNTY'S MEDICAL HEALTH INSURANCE PLANS AS OF JUNE 1, 2022, AND BUDGETING AND APPROPRIATING THE FUNDS

WHEREAS, the County experienced an overall savings in the health insurance budget for Fiscal Year (FY) 2021 equal to \$1.49 million as a result of a conservative budget and claims incurred below expectation; and

WHEREAS, the County estimates an additional \$1 million savings in the health insurance budget for FY2022 as a result of a conservative budget and claims incurred below expectation; and

WHEREAS, using the FY2021 health insurance savings in addition to estimated savings from FY2022, the Board desires to provide a stipend to employees to return to employees the premiums paid to offset the cost that employees pay into healthcare; and

WHEREAS, the amount of the stipend will be equivalent to the annual cost for an employee based on the plan enrolled in (Premium, Core, or High Deductible Health Plan) and the tier of coverage (employee only, employee and child, employee and children, employee and spouse, or employee and family) on June 1, 2022; and

WHEREAS, the Board desires the stipend to return health insurance savings back to employees for FY2023, being paid out in one lumpsum in July of 2022; and

WHEREAS, if an employee leaves prior to the end of FY2023, the Board desires the employee to repay a prorated portion of the stipend, which must be agreed to prior to the payment of the stipend;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 7th day of June, 2022 that a health insurance stipend returning premiums paid for health insurance for current County employees based on the annual premiums paid for the health insurance plan and enrollment tier they were enrolled in on June 1, 2022 be and it hereby is authorized, conditioned upon the employee remaining employed with County government through the end of FY2023—June 30, 2023—and the employee agreeing to an automatic deduction and return of the stipend, or portion thereof, if the condition is not met; and

BE IT FURTHER RESOLVED that FY2021 health insurance savings funds that are held in the General Fund are budgeted and appropriated as follows for FY2023:

Fund	Purpose	Amount
General Fund	Employee health insurance stipend	\$1,530,000
General Fund	Transfer to Utilities	\$275,000
General Fund	Transfer to Landfill	\$55,000
Total Budget and Appropriation		\$1,860,000

; and

BE IT STILL FURTHER RESOLVED that the FY2021 health insurance savings funds that are held in the General Fund to transfer to the Utilities Fund are budgeted and appropriated as follows for FY2023:

Fund	Purpose	Amount
Utilities	Employee health insurance stipend	\$275,000
Total Budget and Appropriation		\$275,000

Item 19. Discussion to Consider Changing from a Biennial Tax Assessment to an Annual Tax Assessment.

Ms. Allen said during this budget cycle, they saw record assessments. She said she received some inquiries from people about why their house cost so much and that they wished they had known. She said she reached out to the Commissioner to have a conversation about how to determine the best step forward and to lay out both sides of the argument for an annual assessment and a biennial assessment, so their residents could make a decision and come and speak on what they would prefer to see, and the Board would get the information from that.

Commissioner of the Revenue Scott Mayausky said he would begin by reviewing what the purpose of a reassessment was. He said it could get confusing, and a lot of people thought the purpose of a reassessment was to generate more revenue, but it was not. He said the purpose of the reassessment was to figure out who owed what in taxes. He said the tax burden was created by the Board through the tax rate, so if they told him they needed \$200M in revenue, he then must go out in the community and figure out what individuals owed what amount. He said the purpose of the reassessment was to distribute the tax burden and did not necessarily generate any additional tax revenue.

Mr. Mayausky said he would briefly review what a property tax system was. He said it was very simple and had not changed much in 6,000 years from the time of the Egyptians. He said they identified the taxable property, figured out who owned it, and determined what it was worth. He said once they knew what it was worth, they sent out reassessment notices to the taxpayers, who had the opportunity to appeal that assessment.

Mr. Mayausky said after that, they waited on the Board to set a rate, and once that was set, they made the calculation, created the bill file, sent it to the treasurer, and that was ultimately the tax bill that went into the mail. He said the rate and value worked hand in hand, similarly to a scale where if the values went up, the rate went down, and when the market dropped, the rate went up. He said at the end of the day, they were generating about the same amount of revenue plus whatever they needed to fund their additional budget projects over the previous year.

Mr. Mayausky said of the top ten largest counties, seven of them had annual reassessments; however, there was a very definitive break in terms of population. He said usually when there were more than 250,000 people, most localities moved from a biennial to an annual assessment. He said of the ten largest, Stafford, Spotsylvania, and Albemarle were still biennial. He said the rest, including Hanover County, were on an annual cycle. He said the impacts of going to an annual cycle included that their assessments would more closely reflect current market trends.

Mr. Mayausky said when they sent out reassessment notices in March, they were very close to what property was selling for at that time. He said they typically averaged about 92% of fair market value, and as the market moved over a two-year period, their assessments became less reflective of current market trends. He said a one-year cycle would correct that. He said by doing so, it would allow for more stable budgeting by eliminating large fluctuations in assessed values, which was what Supervisor Allen was referring to, and a market moving as fast as Stafford had been recently was the reason they saw a dramatic 24% increase on average over a two-year period.

Mr. Mayausky said it would also require an increased budget to the Commissioner of Revenue in the short term and long term. He said when it more closely reflected market value, most people thought of that in terms of going up, but the market also did go down. He said it would allow for a higher level of trust with the taxpayers. He said if when they sat down, they always had the most current market value, they were going to trust the system more than they did currently.

Mr. Mayausky said he did not think they had a big issue of trust; they had 29,000 parcels with only 230 appeals, the industry average was about 1% of appeals per total number of parcels they had, and they had only 0.5% appeals. He said that even though they were on a two-year period, they had the trust of the community. He said they mentioned again that it would eliminate the cumulative impact of the two-year cycle. He said he would email them later a visual representation of the stair-step effect the two-year cycle had, where values went up, they flattened out for two years, and on an annual cycle, it was a much smoother curve, so it made the budgeting easier because the assessed values were moving in concert with the market.

Mr. Mayausky said he mentioned it would increase the Commissioner revenue's budget, both short term and long term, which meant more employees, salaries, benefits, education, licensing fee, and continuing education. He said they required all of their appraisers to have their state certification, and while it was not required by law, he required all of their appraisers to have that. He said more office furniture and vehicles were included because it was important to be out in the field to see what was being assessed.

Mr. Mayausky said the market impacts were that in a falling market, it would impact both new construction and existing housing stock. He said he had mentioned it was like a scale, so when the

market was falling, every year they would have to consider raising that rate to generate the revenue they needed to fund the budget, and in a rising market, it worked the opposite way, but they would have to be dealing with the effective tax rate every year.

Ms. Bohmke said the other option was to reduce expenses.

Mr. Mayausky said yes, that was always an option.

Ms. Bohmke said she wanted to make sure it was not always about raising the rate.

Ms. Mayausky said that was correct. He said in 26 years, that was one of the rare occasions someone had pointed that out. He said the downside was that they would have to deal with the effective tax rate, and that had been very disruptive in the past two assessment cycles. He said the upside was that they would get to work with him every year instead of every two years. He said they were a very efficient Assessment Office, keeping up with the latest technologies. He said the national average, according to the National Association of Assessing Officers was 2,400 parcels per appraiser, and they were operating at 6,500 parcels per appraiser, but part of that was because they were on a two-year cycle, so they would have to tighten that up a little by adding more employees if they were going to go to that annual cycle.

Mr. Mayausky said they were estimating it would take four appraisers, one data collector, and one Deputy Commissioner of Revenue in charge of tax appeals. He said they only dealt with tax appeals once every two years, so they were able to keep their staff in the office to deal with those appeals, and if they went to an annual cycle, they could not do that, because they always needed bodies in the field and would always have to have bodies in the office to deal with the appeals, so they would almost have to build a permanent appeal staff to go along with this. He said they estimated that cost would be about \$800,000. He said an estimated one-time cost for computers, vehicles, and training was about \$150,000. He said the annual cost would be about \$650,000.

Ms. Allen asked if that was one-time or annually.

Mr. Mayausky said the \$650,000 would be annual. He said it did not fully double the amount of staff it took to do the work, but it still required more staff, and the timeline would be fairly aggressive. He said to even implement this and have the first annual reassessment begin January 1, 2024 would require money allocated to them in the upcoming fiscal year, 2023. He said that would allow them to hire staff at the end of this year, they could train by completing the last biennial reassessment, and then on January 1, 2024, they would hit the ground running with their first annual reassessment, which would be completed January 1, 2025.

Mr. Mayausky said one of the benefits that it granted them was that in the off year, they were losing money from the State Corporation Commission tax, so powerlines, railroads, cell towers, and those types of assets were assessed by the State Corporation Commission, who created a study of how accurate the assessments were, and the County got that percentage of that tax revenue. He said if they were 90% market value, they got 90% of the revenue they said they had due to the County. He said they were not going to give them more revenue than what they were taxing their taxpayers at. He said on a two-year cycle in a rising market, if they were at 92% in year 1, they could be at 80% in year 2, so that year 2 was costing them several hundred thousand dollars' worth of revenue in a rising market. He said that only applied to that second year because the first year they would always be at market value or close to it.

Mr. English said if that were the case, it would take care of the one-time fee and staff.

Mr. Mayausky said only for that one year. He said the next year, they did not get that increased revenue, because they would be at market value that next year regardless.

Mr. English said that was because they were doing annual.

Mr. Mayausky said that was right. He said even if they were doing two-year, that next year they would be at market value and getting the same amount of revenue.

Mr. English affirmed this.

Mr. Mayausky said that was the only real direct revenue benefit. He said the rest was better transparency, better trust in government, and a better Assessment Office and system. He said the Board would have to determine how important those were to them, because it was not necessarily a revenue generator every year.

Ms. Gary said it sounded like it was going to cost money and labor and not generate anything significantly more.

Ms. Vanuch said it sounded like an opportunity to raise taxes every year.

Ms. Allen said no.

Ms. Gary said it seemed a good degree of trust.

Mr. Mayausky said yes.

Ms. Gary said it did not seem like the best idea to her.

Mr. Mayausky said there were some offices in the state that had lost the trust of their taxpayers. He said in those cases, he could see where there was a benefit of that because they had to start building that trust again. He said perhaps he was wrong, but he did not think they were there, so he did not think they needed that tool to help build the trust in their tax system, which was very important.

Ms. Allen said this was not a ploy for taxes. She said as she said, people were asking her and said they wished they knew what their house was worth without having to wait two years to find out. She said if they were the third- or second-fastest-growing County in the state, for the next cycle they would see a stark improvement in house prices for a little bit, so even if they did have a recession coming, they would see a stark decrease. She said rather than people coming to them, when they sat down during the budget session, they heard numerous comments from people saying they did not know their house was worth so much and that they did not understand how they had to now pay a large tax bill regardless of whatever rate it was set at.

Ms. Allen said her point was for those people to be able to understand they had an option to know every year so they were not caught off-guard if there was a large up-tick or large down-tick, so they were prepared to deal with the financial responsibilities that came with ownership of property. She said she heard the concerns about revenue, but she did not see their Treasurer's Office or Mr. Mayausky's office as being meant to generate revenue for them, they were meant to offer services for the County.

Ms. Allen said if they looked at it through that lens, they needed to make sure they were offering the best services to their residents to make them as informed as possible, and not have it be seen as something that must be taken off the table because it did not make money. She said from what he was saying, if they were growing the way they were growing, she suspected they would eventually have to move to some type of annual assessment if their population kept rising.

Mr. Mayausky said that seemed to be the trend with how other Counties had developed over the years.

Ms. Allen said he also said it gave them a more accurate assessment when it came to the budget.

Mr. Mayausky said he would not speak for Ms. Light, but he believed it would be easier to budget knowing that every year, the base was known. He said in the off year, it was stagnant or guessing for new construction. He said when someone finished a house next November, they had to value that house at what it was worth in January 2022, not what it was worth the day the person moved

in. He said those were the confusing things that Ms. Allen was probably hearing from people. He said it did not look like it made sense on the surface.

Ms. Allen said for example, if someone purchased a house and at closing, the house was worth less than what the County assessed it for, then that person would be responsible for what the house was worth on January 1, not what they paid at closing, so people would be confused about why their tax bill reflected a different number. She said that situation happened to herself.

Mr. Mayausky said it was a sizable investment, but as he said, it built a better assessment system. He said the question was what the Board's priorities were. He said if that was a high priority, it might be something they want to consider, and if they did not have the money for that kind of investment, then he thought they were operating fairly well as they were today on a two-year cycle. He said that was for the Board to decide.

Ms. Vanuch asked if this had to come back on their agenda, or if this was for situational awareness to the public and the people asking Ms. Allen.

Mr. Smith said it was a request of Supervisor Allen to bring it in for discussion. He said if the Board would like to bring it back, they could bring it back as Unfinished Business, but it was up to the Board.

Ms. Vanuch asked if there was a desire for this to come back at another meeting under Unfinished Business.

Ms. Allen said she would leave it open. She said they did not have to bring it back, and that way if the public wanted to comment, they could come comment on the matter. She said the public asked her to bring it up, so she did, and if no one showed any inclination to either email the Board or staff, or speak about it in person, then she supposed they just carried on as it was currently.

Ms. Bohmke said she looked up Hanover because Mr. Mayausky mentioned it with the population statistics of 250,000, and she believed Hanover did not have that many residents.

Mr. Mayausky said they were well below that, and they were kind of an outlier.

Ms. Bohmke said they were an outlier. She said one of the things they might be able to do from a public information standpoint from their PIO Office was that they needed to look at comps in their neighborhood to see how much house values were going up or going down depending on what was happening in the market. She said they always looked at comps in their neighborhood and could not believe the house sale prices. She said that perhaps Andrew Spence and his office could

help with that, as it could save a lot of money. She said she was not interested in spending \$650,000 annually.

Mr. Mayausky said they did a lot of education, and on their website was a tool that allowed people to search comps in their neighborhood, and it would give that data.

Ms. Bohmke said perhaps people were not aware of that service.

Mr. Mayausky said yes.

Ms. Yeung said she had a similar remark to Ms. Bohmke about whether individuals did not know and use the website. She added that Supervisor Allen should think about a survey on the website so they could see what they currently had and gather information that way. She said they could then see if there was an opportunity for public comment.

Mr. Mayausky said they were eager for public outreach and education.

Ms. Allen asked if it was possible for the next assessment cycle to include something to put in people's mail to ask them that question with the property bill or if they preferred a yearly assessment or a biennial assessment.

Mr. Mayausky said they could look into doing something with the reassessment and the notices.

Ms. Allen said the notices were a better indicator because everyone would receive them.

Mr. Mayausky said he would give that some thought. He said he could perhaps direct them to a website with a brief survey.

Ms. Allen said her closing comment about what Ms. Bohmke brought up about the comp comparisons was that it did not really work for new builds. She said she was the first house, and her comp that she was compared to was \$100,000 less than what she paid for her house, and that was not even in the ballpark.

Mr. Mayausky said it was because the market was moving so fast.

Ms. Allen said exactly. She said the final house that was built was \$100,000 more. She said what they used to assess her property was Aquia Harbor, which was an older community, so there was nothing in her neighborhood to assess her to, so with a new build, it was harder to use a comp comparison if they did not have a comparable house to be compared to.

Mr. Mayausky said new construction was a challenge, and a lot of people did not realize even a bank appraisal was only good for one day.

Ms. Allen said she kept hearing that comment that the bank did not tell them that it was worth so much. She said that was also a source.

Mr. Mayausky said that was a whole different discussion between a single property appraisal and a mass appraisal, but both were only good for one day, and then the market started moving up or down from that day.

Ms. Allen thanked Mr. Mayausky and said they would keep the conversation going. She said she would be open to the surveys when they sent out the notices.

Mr. Mayausky said he was happy to answer any questions.

Ms. Bohmke said she would not be in favor of sending out a notice to people unless they were going to tell them all the additional data they just talked about, which was the fact that it was going to cost \$650,000 per year and how much it would be on their tax rate. She said people may want an annual assessment, but when they found out what it was going to cost, and in the off year maybe it was going to cost \$300,000 or \$400,000. She said they may decide after learning the cost that they did not actually want it.

Mr. Mayausky said they could not simply ask if people wanted to know what their house was worth every year, because they would say yes.

Ms. Vanuch said to close this out, he had received the consensus from the Board that they were not interested in moving forward with this particular initiative, but it was on Unfinished Business, so if people in the public had listened to this and felt one way or another, they should reach out to the Board.

Mr. Mayausky said they could reach out to him as well. He thanked the Board.

Item 20. Planning and Zoning; Consider a Request to Reduce the Time Limit Requirement for a Family Subdivision (Miramontes Family).

Principal Planner Brian Geouge greeted the Board and stated he was with the Planning and Zoning Department. He said this item was a request for the Board to waive the five-year ownership requirement for a family subdivision. He said the request was made by Mrs. Iris Miramontes, who recently moved here from California with her family. He said they purchased a 6.27 tract zoned

A1 at 46 Moorwood Drive, within the Hartwood Election District. He said the lot was selected due to its size, because the intent was to divide the lot into two roughly 3-acre lots for the benefit of a family member, that being her parents.

Mr. Geouge said the family had subsequently constructed a home on the property, located near the front and the road. He said Section 22.5 of the Subdivision Ordinance stated that in order to qualify for a family subdivision, the lot must be owned for a minimum of five years before transferring it to a family member or dividing it. He said they did not meet that requirement since they just purchased the lot in January, however, the ordinance did allow the Board to waive that ownership requirement in instances where they found there was an extraordinary hardship caused by the ownership time period.

Mr. Geouge said Ms. Miramontes had submitted a letter requesting the Board make such a finding; in the letter, provided as Attachment 3, she indicated that the guidance they received prior to purchasing the property led them to believe that they could do the family subdivision, however, they found out when they came in with the application that they had to wait five years. He said she also cited health reasons for family members and financial reasons as hardships that supported the request. He said staff believed that the family had a vested interest in being in Stafford County; however, it was at the Board's discretion whether or not they approved this. He said he would take any questions.

Mr. English asked if this should be a time-sensitive matter.

Ms. Vanuch asked what their time limit was.

Mr. Geouge said he would have to defer to the family on that, as he was unsure.

Mr. English asked if no one told them when they bought the property that they should be aware, and they just thought they could build on three acres when they purchased it a year ago.

Mr. Geouge said the assertion in the letter was that they had coordinated with County staff, and while he personally had not been able to find records of that, they were taking their word for it. He said they also cited potential misinformation from the builder and the realtor as potential reasons as well.

Ms. Vanuch said she wanted to be careful not to set a precedent. She said it was not the County's issue if someone was getting misinformation from a realtor or builder and then they waived by-laws. She said the key was their vested interest in the property and that they were going to own it and build a family subdivision.

Ms. Vanuch asked if they were going to put deed restrictions on it, because in the past when they had granted these exceptions for family subdivision time extensions and they put requirements there that they could not sell it within ten years. She said she knew the Burkes came in, and the Board said they could build on it but could not sell it for five or ten years, whichever time period was in the ordinance.

Mr. Geouge said the Subdivision Ordinance required that the lot be retained by the family member for a minimum of five years before sale to a non-family member, so that portion was covered in the ordinance, but he was unsure about the feasibility of imposing any sort of extended timeframe.

Ms. Vanuch said she recalled the Board changing the five years to ten years, because they were supposed to own it for five, then had to hold onto it for five, so that ten-year conglomerate maximum was what they changed with the Burkes' process. She said she would defer to Ms. McClendon if they could make that requirement if they granted the exception.

Ms. McClendon said if the Board would like to add additional requirements, they would need to look into that and bring it back to the Board to ensure there was flexibility in their ordinance to do that.

Ms. Yeung asked if they found out what the time sensitivity was on it, because they would not be back in session for a while, so she wanted to make sure that if whatever requirement changed, they would be able to bring it back today or not.

Ms. Vanuch said they needed to be able to answer it at the podium and explain.

Ms. Miramontes said it was time-sensitive. She said they had moved from California, and their intention was to make these their forever homes. She said they were misled by their realtors that they spoke to since it was first a plan to move to Stafford. She said they started talking to them in July, told the plan of her parents and herself to have their homes here. She said her parents lived in their home for 20 years and sold their home to come build their forever home out here, so they had no intentions of selling, they came here to stay.

Ms. Vanuch asked if Ms. Miramontes could answer the question on the time sensitivity. She asked why it was time-sensitive and they could not wait 30 days.

Ms. Miramontes asked about the 30 days.

Ms. Vanuch said the way their rules worked was that they were on New Business, so everything usually had to come back to the Board a second time, which would be their next meeting, July 5. She said that was the way it worked unless there was some pressing issue that allowed the Board to waive their by-laws and essentially make something time-sensitive, but she was not hearing that. She said she was hearing that they wanted to build their houses, so it could come back on July 5 for the final response and give the Board time to coordinate with their staff on the requirements.

Ms. Miramontes said they wanted to be able to start the building process as soon as they could. She said they bought this house and closed on it in January, and ever since then, they had been working to survey the land, got the drain field in, and no one ever told them about the five-year rule, which was probably their mistake for not finding that information themselves, but they trusted the realtors and their builder. She said she had emails to prove that their builders were still saying they could build.

Ms. Vanuch asked who their builder was.

Ms. Miramontes said that Teresa from Foundation Homes was their builder, and Ashley Green from the Green Team was their realtor. She said as she said, they had been calling them since July and they felt like they had been lied to and misled.

Ms. Yeung said she heard them say there were medical reasons, and her parents were older.

Ms. Miramontes said her mother had a lot of medical problems and her sister was disabled, so she helped take care of both of them.

Ms. Yeung said that was a time-sensitive issue because of their family's health.

Ms. Miramontes said they moved to Stafford to stay close to them because she took care of them.

Ms. Yeung said she understood. She said the other question she had was something Supervisor Vanuch helped her with because of her background. She said in terms of buying the property, she wanted to know they were not creating some sort of business there, because it was zoned A1, so it would stay there.

Ms. Vanuch said it was A1, so they could put anything there.

Mr. English said they could put a farm there.

Ms. Vanuch said A1 property was very unregulated, but it was in Hartwood and was not part of the discussion. She said they could do what was in the ordinance.

Ms. Allen said she wanted to make sure they understood what time-sensitive meant, because she did not think they understood what they interpreted as time-sensitive versus what they might think. She said when they were talking about how soon things were that they understood. She said when the Board said time-sensitive, they meant today they would do it. She asked if it was time-sensitive for them in that they were having material issues such as purchasing materials or putting down money. She said if they did not vote on it today, they waited 30 days, and she would like to know if that would have a negative impact on their financial ability to build their homes.

Ms. Miramontes said they had already spent between \$5,000 and \$6,000 doing the land survey, the new platforms, and the drain fields. She said they were just waiting on the Board to say yes or no to be able to continue.

Ms. Allen asked if the process would be delayed if they waited 30 days.

Ms. Miramontes said yes, because they were trying to get their house as soon as they could, and everything was taking a long time. She said with the money they had now and the rates of houses, they did not have enough money.

Ms. Vanuch said that was in general, but they were talking more specifically of the requirements of waiving by-laws, and she did not think Ms. Miramontes had articulated a time-sensitive issue. She said it was a big deal for the Board and was a matter of public transparency, because someone might want to make a comment, which was why it showed up as New Business and then came back as Unfinished Business.

Mr. English said he did not consider it as time-sensitive. He said he would like to have the deed looked at and if they could extend it for 10 years or some amount of time. He said they would look at it at their next meeting.

Ms. Vanuch said that was July 5.

Mr. English said they would look at it on July 5, so they would have to wait 30 days.

Ms. Miramontes said she forgot to mention that the house that they bought for herself had stairs, and her sister had fallen twice already, which was why they thought this was a time issue. She said her mother has knee problems and other medical problems, and she could not go up and down the stairs.

Ms. Vanuch said they understood that, but with the terms of waiving their rules, she thought it should come back and allow them to look at the deeds, because the Board did not grant family subdivision waivers very often, only once or twice, and they usually did not pass. She said the Board sympathized with this particular situation, and if she allowed the Board to look at the deed and extension to the ten-year time period, she would probably get support for this.

Ms. Vanuch said that was why they were asking to let them look at the deed, because it set a precedent and they had to be very mindful of the precedents they set in the community. She said anyone could come in and say they got bad information from their realtor and they now wanted to build a family subdivision, and that was a way that builders could get around the family subdivision rules, because the requirements were actually one house per six acres, but on a family subdivision they were allowing them one house per three acres. She said it was something they had to be very mindful of people taking advantage of the situation. She said the Board would see Ms. Miramontes on July 5 and wished her a happy July 4th.

Ms. Miramontes asked if the Board wanted her informational materials.

Ms. Vanuch said she could leave it with the Clerk.

Item 21. Planning and Zoning; Consider Granting a Time Limit Extension for a Zoning Reclassification Application (Project Known as Clift Farm).

Mr. Harvey said the code required that a zoning reapplication be disposed of by the Board within 18 months of it being filed. He said the 18-month timeline was on June 11, and the applicant had made an initial request to extend it to February 11, 2023. He said they would find in their add-on information that they had subsequently modified that request to extend it out to June 11, 2023. He said after discussions with the applicant, they came to realize if there were additional community meetings or additional time needed by the Planning Commission that the February timeframe might a little tight, so that was why they asked for an extension to June.

Mr. Harvey said the site was located within the urban services area and within the proximity of Clift Farm Road and Leeland Road, and was proposing a retirement community. He said there had been one initial community meeting and some other meetings the developers had with the neighbors, and they felt there needed to be additional time and effort put into the application for it to move forward.

Ms. Yeung commented that it was reasonable to extend it, and she would vote for it.

Ms. Vanuch said it would come back.

Ms. Bohmke asked if because it expired, they had to vote on it to be deemed time-sensitive.

Ms. McClendon said that would be their recommendation to deal with it before it actually expired.

Ms. Bohmke said she would vote to approve the extension. She said it was a 55-and-older community, they had met with the community and had met with people at a resident's house, which was in October of last year. She said then the election hit, and Mr. James Jarrell was there from JPI, who had been very involved on the Fountain Park project and had some delays.

Ms. Bohmke said they had looked at a lot of the things the homeowners wanted over there, but they had to have a lot more meetings with the residents. She said she knew from talking to the Flippo family that they would sell this property. She said Dale Flippo, one of the owners of the property, was in the audience. She said the owners did not intend to keep it and develop it as a farm, so that was why she was in support of extending it until June of next year.

Ms. Bohmke motioned, seconded by Mr. English, for the Board to deem this item time-sensitive.

The Voting Board tally was:

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

Ms. Bohmke motioned, seconded by Ms. Yeung, to adopt Resolution R22-148.

Ms. Vanuch said she would support this extension, which she never did, but it did not mean she supported the project.

Ms. Bohmke said that support of this did not mean at all that there was support for the project. She said this was only to approve the extension.

Ms. Vanuch asked if there was any further discussion. Hearing none, she asked for the votes to be cast.

The Voting Board tally was:

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

Resolution R22-148 reads as follows:

A RESOLUTION GRANTING A TIME EXTENSION FOR A ZONING RECLASSIFICATION APPLICATION PURSUANT TO STAFFORD COUNTY CODE SEC. 28-162, "REVIEW AND REQUIREMENTS"

WHEREAS, on June 2, 2020, the Board adopted Ordinance O20-13, which established time limits for pending zoning reclassification applications; and

WHEREAS, Stafford County Code Sec. 28-162(h) specifies that any zoning reclassification application still pending more than eighteen (18) months from the date such application was filed shall be administratively closed by staff due to inactivity, but that the applicant may request a time extension in writing prior to such deadline, which request must contain a definitive time for moving forward with or withdrawing the application, and the extension request may be granted by the Board; and

WHEREAS, JPI-Clift Farm, LLC, applicant for zoning reclassification Application RC20153640 (Application), was notified that a request for a time extension must be received prior to June 11, 2022; and

WHEREAS, an extension request was received prior to June 11, 2022 requesting an extension of the Application time limit to June 11, 2023; and

WHEREAS, the Board finds that time limit extension for the Application, pursuant to Stafford County Code Sec. 28-162(h), is appropriate; NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that a time limit extension, pursuant to County Code Sec. 28-162(h), be and it hereby is granted as follows:

	Project Name	Application(s)	Time Limit Extend To
1.	Clift Farm	RC20153640	June 11, 2023

CLOSED MEETING

At 5:24 p.m., Ms. Yeung motioned, seconded by Mr. Coen, to adopt Resolution CM22-16 to authorize closed session.

The Voting Board tally was:

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

Resolution CM22-16 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of the disposition of a former elementary school site, which is publicly held real property, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Board; (2) discussion concerning the recruitment for the County Administrator position and a specific employee of the Board; and (3) discussion of the performance of a specific public employee of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

At 6:39 p.m., Ms. Yeung motioned, seconded by Mr. Coen, to adopt Resolution CM22-16(C) to certify the closed meeting.

The Voting Board tally was:

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

Resolution CM22-16 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JUNE 7, 2022

WHEREAS, the Board has, on this the 7th day of June, 2022, 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 June 2022, 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.

CLOSED MEETING AFTER ACTION

Ms. Allen motioned, seconded by Mr. Coen, to approve proposed Resolution R22-167, a Resolution authorizing the Interim County Administrator to enter into a Letter of Intent with GMX Real Estate Group Acquisitions, LLC, for the sale of County-owned tax map parcel 20-136A, located within the Griffis-Widewater Election District.

The Voting Board tally was:

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

Resolution R22-167 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ENTER INTO A LETTER OF INTENT WITH GMX REAL ESTATE GROUP ACQUISITIONS, LLC FOR THE SALE OF COUNTY-OWNED TAX MAP PARCEL NO. 20-136A, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the County obtained Tax Map Parcel No. 20-136A (Property), the location of the old Moncure Elementary School site, from the Stafford County School Board by Special Warranty Deed dated April 16, 2021; and

WHEREAS, GMX Real Estate Group Acquisitions, LLC (GMX) has provided a Letter of Intent, dated May 17, 2022 and signed June 1, 2022, with proposed terms for the sale of the Property, attached hereto as Exhibit A (Letter); and

WHEREAS, the Board believes the County would benefit from the sale of the Property to GMX as the terms of the Letter contemplate future retail development on the Property; and

WHEREAS, the Board finds the terms of the Letter acceptable and desires to authorize the Interim County Administrator to execute the Letter;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the Interim County Administrator be and he hereby is authorized to execute the Letter of Intent from GMX Real Estate Group Acquisitions, LLC, dated May 17, 2022 and signed June 1, 2022 (Letter); and

BE IT FURTHER RESOLVED, that the County Administrator and County Attorney, or their designees, are authorized to negotiate a purchase contract for the sale of Tax Map Parcel No. 20-136A to GMX Real Estate Group Acquisitions, LLC consistent with the terms in the Letter (Purchase Contract), and to negotiate any other documents deemed necessary and appropriate to effectuate the Board's desires and this Resolution.

Ms. Yeung motioned, seconded by Mr. Coen, to approve proposed Resolution R22-164, a Resolution appointing Randall E. Vosburg as Stafford County Administrator and Clerk of the

Stafford County Board of Supervisors, and authorizing the extension of an employment agreement with Michael T. Smith.

Ms. Vanuch said this was an important vote, and they were now hiring their new County Administrator, who would be joining them July 5. She said she would have some additional comments to make when they opened up the 7:00 p.m. meeting, but she wanted to make sure everyone knew what this Resolution pertained to.

The Voting Board tally was:

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

No: (0)

Resolution R22-164 reads as follows:

A RESOLUTION APPOINTING RANDAL E. VOSBURG AS STAFFORD COUNTY ADMINISTRATOR AND CLERK OF THE STAFFORD COUNTY BOARD OF SUPERVISORS, AND AUTHORIZING THE EXTENSION OF AN EMPLOYMENT AGREEMENT WITH MICHAEL T. SMITH

WHEREAS, Michael T. Smith is serving as Interim County Administrator, until such time as the Board could conduct a thorough search to find a qualified individual to be appointed as County Administrator; and

WHEREAS, the Board has conducted such search and desires to appoint Randal E. Vosburg as the Stafford County Administrator and Clerk of the Stafford County Board of Supervisor; and

WHEREAS, satisfactory terms for an Employment Agreement between the Board and Mr. Vosburg have been negotiated and reached; and

WHEREAS, the Board desires to extend the Employment Agreement entered with Mr. Smith, having him serve in a consultative role until July 29, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that it be and hereby does appoint Randal E. Vosburg as County Administrator and Clerk of the Stafford County Board of Supervisors, effective July 5, 2022, at 8:00 a.m. (Effective Date); and

BE IT FURTHER RESOLVED, that upon the Effective Date, Michael T. Smith shall no longer be Interim Stafford County Administrator but shall remain employed by the Board in a consultative role through July 29, 2022; and

BE IT FURTHER RESOLVED that the Chairman is authorized to execute an employment agreement with Mr. Vosburg on behalf of the Stafford County Board of Supervisors, consistent with the terms discussed with the Board in closed session; and

BE IT STILL FURTHER RESOLVED that the Chairman is authorized to execute a first extension to the employment agreement with Mr. Smith on behalf of the Stafford County Board of Supervisors, consistent with the terms discussed with the Board in closed session.

RECESS

At 6:41 p.m., the Board adjourned its meeting until the evening session.

At 7:00 p.m. Chairman Vanuch called the evening session to order. Ms. Gary gave the invocation and Ms. Yeung led the Pledge of Allegiance to the flag of the United States of America.

PRESENTATIONS

Ms. Vanuch said she would like to make an announcement before presentations. She said right after a closed session today, the Board of Supervisors had selected a new County Administrator after a rigorous national search. She said they would welcome Randall E. Vossburg on July 5, who came to them from Highlands County, Florida, where he had served as a County Administrator.

Ms. Vanuch said he brought an absolutely impressive array of education, experience, and a multitude of accomplishments to Stafford County. She said she knew she spoke for the rest of the Board when she said they could not be happier for his arrival. She said she was thankful he would be joining the Board as they went into the strategic planning for the community. She asked the public to please look for the press release of this news.

Presentation of Proclamation Honoring and Recognizing the Juneteenth Holiday

Ms. Vanuch invited Yolanda Roussell from the Stafford branch of the NAACP to come forward. She said Ms. Roussell was accepting a Proclamation on behalf of the Black community to recognize the Juneteenth holiday. She said President Lincoln emancipated enslaved persons on January 1, 1863, but some in Texas did not get word of freedom until June 19, 1865, a full two and a half years after the emancipation. She said Juneteenth had become a day of celebration for the Black community, as well as the larger community. She said since 1909, the Stafford branch of the NAACP had been advancing the lives of Black people in their community. She said they were very grateful for the excellent work they had done in Stafford County and would like to welcome Ms. Roussell to accept the Proclamation on their behalf.

Ms. Vanuch thanked Ms. Rousell for joining them this evening. She said she would read the proclamation and then let Ms. Rousell talk about their event.:

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation in 1863, which technically freed some four million enslaved peoples in both Union and Confederate states; and

WHEREAS, there were enslaved people in some parts of the south who did not receive word of the Emancipation Proclamation; and

WHEREAS, Juneteenth originated with the arrival in Galveston, Texas, of Union General Gordon Granger on June 19, 1865, who issued an order freeing enslaved persons from bondage. This event was two and a half years after President Lincoln signed the Emancipation Proclamation; and

WHEREAS, Juneteenth marked the moment enslaved persons in the deepest part of the Confederacy learned that they were finally free; and

WHEREAS, over the years, Juneteenth had evolved into a celebration of African American freedom and achievement, while encouraging continuous self-development and respect for all cultures; and

WHEREAS, Juneteenth was a reminder in our country of both the lowest and the highest points in American history with its enslavement of African American people and their subsequent achievements and triumphs.

NOW, THEREFORE IT BE PROCLAIMED that the Stafford County Board of Supervisors, on this 7th day of June, 2022, that it be and hereby does recognize the commemoration of Juneteenth in Stafford County and its role and significance in American history.

Ms. Rousell thanked the Board for this Proclamation. She said this was the first time that the NAACP had put on an event of this magnitude, and they were very excited about it. She said they had people who had been working since February every weekend to work on this project. She said it was going to be phenomenal, and they were all invited to come out. She said the NAACP was the Stafford County NAACP, so this event was for Stafford County, but they also had neighbors, and they had been invited to come in, and they had accepted their invitation. She said they had people coming in from Washington, D.C. and various counties in the area, and they needed Stafford folks to be there to welcome them to their home.

Ms. Roussell hoped they would all join them on June 18. She said the show would start at 11 a.m., but the doors would open at 10 a.m. She said they wanted people to get out of the traffic and be able to get good parking and come in and spend some time with their vendors. She said the most important thing was to be there at 11 a.m. when the program opened.

Ms. Roussell said it would be worth their time. She said it was going to be held at Colonial Forge High School, 550 Courthouse Road. She said she did not know how many people present had been to Colonial Forge, but it was a fabulous building, and if they had not been there, they were in for a treat. She said what they were going to do to transform it would blow everyone's minds. She thanked the Board again and said she had something for them as well.

Ms. Vanuch said she had special invitations for each Board member. She thanked Mr. Minor for coming as well.

PRESENTATIONS BY THE PUBLIC - II

Ms. Vanuch explained the rules for presentations from the public. She said the item was for people to address the Board on any item other than the items for public hearing. She said if there were comments for Lidl, PDR, or Falmouth Beach parking, then they would be called up later for comment and there would be special time to address the Board on those items. She said speakers would have three minutes to address the Board, and they should state their name, address, and their residing district. She said the comments should be addressed to the Board as a whole and not to individual supervisors as they acted as a body and not as individuals.

1. Mr. Jeff Adams said he lived at 449 Kellogg Mill Road in Mr. English's district. He said there was a comment during another agenda item he would add on to. He said there was a snowstorm in January, and that was a piece of cake compared to the hours from 8 p.m. to 12 a.m. on the 4th of July. He said it was the most terrifying hours of the year. He said if people owned livestock, there was not a fence that could hold a panicking bull after dark. He said after the bull broke out from the fence, they ended up in the road and caused accidents. He said it would result in EMS response and road closures as well as mitigation measures to control the other livestock and breach in the fence. He said he would be reporting illegal fireworks during July 4th.

Mr. Adams said the Board had discussed conservation easements. He said from 8 a.m. to 1 p.m. at Walnut Hill Farm, 449 Kellogg Mill Road, children would be there. He said it would represent what conservation easements looked like. He said people would be able to milk cows and make butter on Wednesday. He said that would be Monday to Friday the following week. He said Mr. Smith should enjoy his retirement.

PUBLIC HEARINGS

Item 22. Planning and Zoning; Consider a Request to Amend the Zoning District Map to Reclassify from the R-1, Suburban Residential Zoning District to the B-2, Urban Commercial Zoning District Tax Map Parcel No. 21-27; and to Amend Proffered Conditions in the B-2 Zoning District on a Portion of Tax Map Parcel No. 21-28G (Project Known as Lidl).

Mr. Mike Zuraf said he would summarize the staff report for the rezoning request. He said the request had two parts and there were two parcels involved—a request to reclassify Parcel 21-27 from R-1, Suburban Residential Zoning District, to B-2, Urban Commercial District; and a request to amend the proffered conditions on Parcel 21-28G, which was already zoned B-2. He said the intent was to develop a Lidl grocery store. He said the total area of the two properties was 2.30 acres, and it was in the Garrisonville District. He said the applicant was Nicholas V. Cacaci, Lidl U.S. Operations LLC, and Jonelle Cameron was the applicant's agent.

Mr. Zuraf said the subject parcel was located on the northeast corner of Mine Road and Greenspring Drive, and located along Wicomico Drive, a private street. He said the site was surrounded by B-2 zoning. He said the current zoning of both parcels had been established before 1978, and neither had proffers associated with the properties. He said a proffer amendment was required for Parcel 21-28G. He said since there were proffers being added where there were none, there had to be proffer amendment.

Mr. Zuraf said there was currently a Red-Roof Inn covering approximately half of the subject area. He said the hotel access was located off of Wicomico Drive, and the remaining undeveloped area was level and wooded with a mix of deciduous and coniferous trees. He said there was a small wetland area at the northern edge of the site. He said there were no other sensitive environmental resources. He said surrounding the site was a mix of restaurant and retail uses.

Mr. Zuraf said the generalized development plan that was submitted with the request showed the proposed site layout which included a 24,000-square-foot grocery store. He said the grocery store would replace the hotel. He said the building would be located adjacent to Greenspring Drive, and parking would be located on the north side of the site. He said access would only be provided on Wicomico Drive, and no access was proposed on Greenspring Drive or Mine Road. He said a sidewalk would be constructed along Greenspring Drive, and there would be a loading dock access adjacent to Greenspring Drive and Wicomico Drive. He said the applicant proffered to restrict deliveries to the loading dock between the hours of 7 p.m. and 7 a.m. as a means to limit potential conflicts with regular traffic flow and delivery vehicles entering the loading dock.

Mr. Zuraf said a transportation impact analysis was required with the application. He said it was estimated the grocery use would generate approximately 3,000 vehicle trips per day, with peak hour trips of 97 trips in the morning peak hour and 279 trips in the afternoon peak hour. He said the traffic study evaluated the impacts of the use on the surrounding intersections. He said when the traffic studies were reviewed, so too was the Comprehensive Plan policy, which recommended development maintain a level of service (LOS) C or better, but where that may be impractical because LOS was failing, then the LOS should not be further degraded. He said the degradation was measured by the amount of delay that may be caused.

Mr. Zuraf said the traffic study identified impacts to a few of the intersections that were not consistent with the Comprehensive Plan policy. He said the greatest impact was found to be during the afternoon peak hour when there was more traffic coming and going from the grocery store. He said there was an effect on three of the intersections that were inconsistent with the Comprehensive Plan policy.

Mr. Zuraf said the Garrisonville Road and Mine Road intersection already experienced a LOS F, with or without the proposed use. He said with the use, there would be an overall delay increase of seven seconds on average across the entire intersections. He said all northbound lanes on Mine Road approaching Garrisonville Road would experience the greatest impact, with an additional 35 seconds of delay on average. He said Mine Road and the commuter parking entrance intersection would experience an overall LOS D, with or without the proposed use. He said the use would cause an overall delay increase of 2.5 seconds—from 41.5 to 44 seconds. He said the greatest impact would be on southbound traffic through the intersection. He said the Garrisonville Road and Salisbury Drive intersection would experience an overall LOS F, with or without the project. He said it would experience an overall delay increase of four seconds. He said the specific issue of concern with the intersection was the Garrisonville Road westbound left-turn onto Salisbury Drive which would experience an additional 20 seconds of delay.

Mr. Zuraf said the Comprehensive Plan Future Land Use map identified the property within a recommended commercial corridor and suburban land use designation. He said commercial corridors were intended to encourage commercial activities where there were adequate transportation facilities to accommodate the proposed uses. He said suburban areas of the County were areas where suburban-scale development was most appropriate. He said those areas were intended to serve as infill development in the proximity of established communities in the northern and southern areas of the County.

Mr. Zuraf said the applicant provided architectural renderings of the proposed store. He said staff noted the renderings appeared to adequately conform with the neighborhood design guidelines plan, an element of the Comprehensive Plan. He said the plan included several architectural design

recommendations. He said there was a proposed proffer that would require the building to be constructed in compliance with the styles and materials shown in the renderings.

Mr. Zuraf said the proffers from the applicant generally committed the development of the site to many of the features of the proposal submitted with the rezoning request. He said the commitments included the site layout, the building design and appearance, safety features such as limited access points and delivery hours, and a maximum number of 3,005 vehicle trips per day. He said a new proffer had been introduced after the Planning Commission reviewed the proposal. He said the proffer was to contribute \$25K to the County for design and construction of an additional sidewalk along Mine Road towards the intersection of High Point Boulevard.

Mr. Zuraf said there were several positive aspects of the proposal. He said it was consistent with the land use recommendations in the Comprehensive Plan. He said the use was consistent with the established commercial development pattern in the vicinity of the site. He said the building met the neighborhood design criteria in the Comprehensive Plan, and the proffers helped to mitigate the negative impacts from the proposed use and minimize the intensity of future uses on the site. He said access was limited to minimize traffic conflicts on the more heavily traveled roads.

Mr. Zuraf said staff found one negative aspect of the proposal. He said the project would contribute to additional delays at several of the surrounding intersections. He said despite the additional impacts on the transportation network, staff found the positive aspects outweighed the negative aspects and recommended approval of the application with the proposed proffers pursuant to Ordinance O22-07. He said on March 9, the Planning Commission voted 7 to 0 to recommend approval of the application.

Ms. Vanuch noted there had not been many land use applications before the new Board. She said the Board would ask questions of staff, and then the applicant would present to the Board and answer any high-level questions. She said the public would then be allowed to comment followed by further questions from the Board. She said that was the typical process.

Ms. Allen asked Mr. Zuraf to expand on the results of the traffic study for intersection 7.

Mr. Zuraf said the initial version of the proposal included an access point at intersection 7. He said the traffic study had an evaluation at the proposed commercial entrance at intersection 7. He said the subsequent revisions removed the access point. He said it was removed from consideration and that was why it was marked in red on the image.

Ms. Allen asked how long the sidewalk on Wicomico Drive would be.

Mr. Zuraf said he was not positive as to the length of the sidewalk. He said there was already a sidewalk that covered the frontage. He said the sidewalk would have to remain through redevelopment.

Ms. Allen said the applicant was only contributing \$25K. She asked if the applicant was constructing the sidewalk or contributing the funding to build the sidewalk.

Mr. Zuraf said the proposed proffer for \$25K would be for an offsite sidewalk along Mine Road. He said the sidewalk was towards the intersection with High Point Road. He said along Mine Road, there was an approved development that would provide a sidewalk along its frontage. He said further south, there was an approximately 400-foot stretch without sidewalk or development plans, so the \$25K proffer would aid in adding a sidewalk to fill in the gap.

Ms. Allen said the amount seemed miniscule. She said it cost more than \$1M to construct the sidewalk for the Staffordboro project. She asked how much it would cost to construct the sidewalk.

Mr. Zuraf said the other project was contributing \$25K through its proffers. He said he believed the method of construction would involve expanding the shoulder and marking off an area.

Ms. Allen said that would not be a true sidewalk. She said it was an expanded shoulder.

Mr. Zuraf said he did not know the details as to the specific design. He said it would be a way to make it safer for pedestrians.

Ms. Allen asked why Wicomico Drive was chosen. She said if the negative impacts were to be mitigated, why not make the sole entrance off Greenspring Drive. She said the traffic on Greenspring Drive generally went to either the commuter lot, the Walmart, the bar, or the hotel. She said to put a second turn off Route 610 onto Wicomico would negatively impact traffic wait times.

Mr. Zuraf said the applicant was not proposing any new connections. He said it was utilizing the same access points.

Ms. Allen asked why the applicant did not utilize an entrance onto a different street that was more amicable to the traffic. She said if there were to be more than 3,000 vehicles a day, it would be a nightmare. She said the entrance should be on Greenspring Drive because it was able to better accommodate the traffic.

Mr. Zuraf said another entrance would be even closer to the intersection of Mine Road. He said there was a lot of stacking already on Greenspring Drive. He said they would be adding another chokepoint with another entrance.

Ms. Allen said she disagreed with the conclusion from staff.

Ms. Yeung asked how the \$25K proffer was determined and who determined the value.

Mr. Zuraf said he would have to defer to the applicant. He said the proffer was provided by the applicant. He said he believed it was a match to the proffers of the other site.

Ms. Yeung asked if the other site belonged to the applicant.

Mr. Zuraf said no.

Ms. Bohmke noted some supervisors were on FAMPO and they discussed various SMART scale project proposals. She said there was a project for a road expansion further down Garrison Road. She asked if there were other road improvement projects scheduled for the area.

Mr. Zuraf said he was unaware of any road improvement projects at this time.

Ms. Vanuch requested the applicant to present.

Ms. Jonelle Cameron of Walsh, Colucci, Lubeley & Walsh P.C., said she represented the applicant, Lidl. She said a team was present to help answer questions. She said she would focus on transportation in her presentation to help answer the transportation questions. She said she would examine the building elevations as well.

Ms. Cameron said the property was located at the intersection of Greenspring Drive and Mine Road, and it was approximately 2.3 in size. She noted on the displayed image the portion of the parcel requiring the zoning reclassification. She said on the remainder of the property, the grocery use was permitted by-right. She said the highlighted portion was approximately 0.93 acres. She said the proposal was a redevelopment revitalization project for the road corridor. She said the Board approved a ZTA on parking for grocery stores in 2020.

Ms. Cameron said the ZTA inadvertently removed the low, medium, and high-intensity parking uses, rather than assigning parking to various uses, including grocery stores. She said the applicant returned before the Board to essentially reinstate the parking requirements prior to the ZTA—four

parking spaces for every thousand. She said the Board approved the reinstatement, and it was acknowledged Lidl was the driver for the change.

Ms. Cameron said part of the parcel was zoned R-1, and the rest was zoned B-2. She said the property was designated as suburban commercial in the Comprehensive Plan. She said B-2 was consistent with the Comprehensive Plan goals while R-1 zoning was not. She provided a slide that she said was illustrative of the general development plan. She said the applicant was proposing a 24,338-square-foot grocery store on both properties. She said a grocery store was permitted by-right in B-2 zoning, but because of the size and the layout of the property, the applicant required both properties.

Ms. Cameron said the applicant provided 15-foot landscape buffers along the frontages of Wicomico Drive, Greenspring Drive, and Mine Road, and a 20-foot buffer along the existing autobody shop, and a five-foot landscaping strip adjacent to the Poncho Villa property. She said the applicant was reconstructing the sidewalk along Wicomico Drive and constructing a sidewalk along Greenspring Drive to connect to the existing sidewalk on Mine Road. She said the applicant proposed 99 parking spaces that met the code requirements of four parking spaces per 1,000 gross square feet. She said the parking was ample for the proposed Lidl use.

Ms. Cameron said as part of the proposal, the applicant was required to perform a traffic impact analysis to determine the associated trips and any mitigation to address the levels of service. She said the applicant first examined the number of trips associated with the existing use on the property—a hotel—that generated approximately 250 average daily trips. She said the applicant then looked at the trips that could be generated on the property by-right. She said the hotel owner was actively seeking to sell the property, and a strip-shopping center was permitted by-right. She said the strip-mall would generate 3,204 average trips per day by-right. She said a single-family home permitted in the R-1 portion would generate 15 average daily trips.

Ms. Cameron said the proposed grocery use would generate 3,005 trips per day—200 trips less than what was permitted by-right. She said the slide showed the intersections impacted by the proposed use. She said a traffic impact analysis examined the required intersections at the a.m. and p.m. peak. She said VDOT determined the a.m. peak was between 7 and 8 a.m., and the p.m. peak was between 4:45 and 5:45 p.m. She said the County had a goal LOS C or above in the Comprehensive Plan. She said intersections 6 and 8 had acceptable LOS during the a.m. peak hour, but they had LOS D during the p.m. peak.

Ms. Cameron said the impact of development on the overall intersections was three seconds. She said intersections 1 and 9 had unacceptable LOS during the a.m. and p.m. peak hours. She said the applicant's impacts to intersection 9 were minimal, with only a four-second delay. She said the

left movements from Garrisonville Road to Salisbury Drive was 20 seconds, and the delay from Salisbury Drive onto Garrisonville Road was 12 seconds. She said the increase in delay was because VDOT gave preference to the through traffic to keep traffic flow on the through roads, so the side streets resulted in lower LOS.

Ms. Cameron said the overall impacts to intersection 1 during the a.m. peak was less than one second, and it was seven seconds during the p.m. peak. She said the left and right turn lanes to Garrisonville Road experienced delays of approximately 35 seconds because the preference was for through traffic. She noted the grocery store use accounted for 0.7% of the total a.m. trips, and 1.6% of the total p.m. trips through the Mine Road/Garrisonville Road intersection. She noted the peak hours for Lidl were between 12 p.m. and 4 p.m., off-peak hours for the intersections. She said the proposed trips were less than what could be on the property by-right and would have a lower impact.

Ms. Cameron noted Ms. Allen's question. She said when the project was initially submitted, there was an access point onto Mine Road, intersection 7. She said VDOT did not want additional access onto Mine Road, so it asked the applicant to remove the access. She noted the applicant proffered to remove access on Greenspring Drive because it did not meet the clearance of accesses between intersections, and VDOT would not approve an access management exception. She noted Wicomico Drive was a privately maintained road.

Ms. Cameron said after the hearing before the Planning Commission, the applicant added a proffer to include an easement for an inter-parcel connection into the Poncho Villa site. She said it was important to the Commission because they wanted to eliminate access points on Garrisonville Road. She said Lidl had been in discussions with the property owner of the Poncho Villa site to purchase the site. She said if Lidl were able to purchase the property, it was already zoned B-2, and a grocery store would be permitted by-right. She said they would be able to work with the applicant and the owner to provide a better access point and reconfigure the parking to promote better circulation. She said the intent was to ultimately close the access point on Garrisonville Road.

Ms. Cameron said proffers addressing transportation including prohibiting access to the property from Greenspring Drive and Mine Road, restricting deliveries by Lidl distribution trucks between 7 p.m. and 7 a.m., requiring construction of sidewalks along Greenspring Drive and Wicomico Drive. She said in the event a grocery store was not constructed on the property, the applicant proffered any other use would be limited to 1,500 vehicles per day and would require an easement for inter-parcel connection to the Poncho Villa property. She said the applicant had proffered \$25K towards an offsite sidewalk. She said the Hilton Group had rezoned a property called Hampton

Run, and as part of the rezoning, proffered \$25K towards an offsite sidewalk. She said the applicant proffered the funds to fill in the gap in the sidewalk.

Ms. Cameron said the applicant proffered the building shall be in conformance with the building elevations and signage provided as part of the proposal. She said the primary building materials were brick with stone veneer and a wood-looking panel. She said the proposal came with benefits—proffered commitments, including restricted uses, upgraded architecture, limited road access, and inter-parcel connections; onsite and offsite pedestrian connectivity; positive commercial tax base for the County; diversified employment opportunities; and a reclassification of the residential zoning to be compatible with the surrounding land uses and Comprehensive Plan. She noted there was a positive staff report and a unanimous recommendation for approval from the Commission.

Ms. Allen asked when the Hilton Group proffered the \$25K for the sidewalk.

Ms. Cameron said it was a recent zoning application. She said she could provide the exact year.

Ms. Allen said in 2022, \$25K would not be able to construct a substantial sidewalk. She asked how the delivery vehicles would enter the Lidl site. She asked if they would enter through Wicomico Drive as well.

Ms. Cameron said that was correct.

Ms. Allen asked if that setup would encourage traffic conflicts.

Ms. Cameron said the applicant had established delivery hours to correspond with off-peak hours. She said delivery with the large vehicles could only be done between 7 p.m. and 7 a.m.

Ms. Vanuch noted there was no off-peak traffic hour in the County.

Ms. Allen noted the peak hours ended closer to 10 p.m. for Route 610. She noted the off-peak hours were between 10 p.m. and 4 a.m. She said sometimes, the bulk of rush hour was on the road at 7 p.m. She said Wicomico Drive was a smaller road. She said she was concerned. She said she did not know VDOT did not approve the other entrances. She asked for the applicant to elaborate on why VDOT denied the entrance onto Greenspring Drive.

Ms. Cameron said a certain distance was required between the access points and intersections. She said because of the distance between Mine Road and Wicomico Drive, the spacing requirements for an additional access point could not be met on Greenspring Drive.

Ms. Allen asked how the requirement was different between Route 610 and Wicomico Drive.

Ms. Cameron said it was an existing access point. She said no additional access points could be added.

Ms. Allen said she was not referring to adding an access point. She said the applicant should use it as an entrance.

Ms. Cameron said it would still involve adding an access point.

Ms. Allen asked if it counted as adding an access point if it already existed.

Ms. Cameron said it did. She said the access point that already existed was for a residential property on Greenspring Drive, and it was not a commercial access point. She explained that as part of the proposal, a truck turn analysis had to be completed to show a truck could safely turn onto Wicomico Drive, and the applicant was able to show a truck could successfully and safely turn onto the road.

Ms. Allen said she was not concerned about the turning. She said she was concerned about the delays to traffic caused by turns into the site. She said every second of delay graded the LOS on the road. She asked what the rate of vehicle accidents was between Mine Road and Salisbury Drive. She said there were many cars that made sudden stops to make turns into private, secondary roads. She said the traffic point should not be off Route 610.

Ms. Cameron noted there could be another by-right use on the parcels that would still require the trucks to make the turn movements. She said Lidl had mitigated the impacts through various proffers to ensure safer access.

Ms. Allen asked what land uses the parcel could contain by-right.

Ms. Vanuch said even with by-right uses, proposals still had to undergo site plan approval and parking ordinances. She said the site was so small, any site requiring additional traffic would have to buy the additional acreage and approach the Board for a rezoning. She said there were few uses that would generate similar truck traffic. She said the by-right B-2 uses were subject to site plan review.

Ms. Cameron said a restaurant or strip mall could be constructed on the site to meet the parking requirements.

Ms. Vanuch said the traffic would be okay with that proposal.

Ms. Allen asked if there was a way to gain permission to use the residential access point as a commercial entrance and exit to the subject site.

Ms. Cameron said it could not be done because a residential entrance would be converted into a commercial entrance, and the VDOT standards for access would no longer be met.

Ms. Allen asked how one part was considered residential but the other part of Wicomico Drive was not. She said the Wicomico Drive and Greenspring Drive entrance was residential. She asked why the Route 610 entrance was not also considered residential.

Mr. Zuraf noted where Ms. Allen proposed another entrance for the site on the image displayed.

Ms. Allen confirmed that was where she was envisioning the entrance. She said the Chair should move on with the hearing.

Ms. Vanuch said it was time for public comment. She said speakers would have three minutes. She said speakers should state their name, address, and the district in which they resided.

1. Ms. Nancy Rueter said she lived at 42 Boulder Drive in the Garrisonville District. She said she drove through the impacted intersections multiple times a day. She said her concerns were varied. She said there were three grocery stores within two blocks of the proposed Lidl—Walmart, Shoppers, and Target. She said within less than half a mile was a Giant and an Aldi. She said it was not a food desert. She noted there was not a quality grocery store in the Aquia Harbor area.

Ms. Rueter said it was an optimal open area to put the grocery store without the associated traffic concerns. She said rush hour began at 4:30 p.m. in her neighborhood. She said if traffic slowed down more on the surrounding roads, then more people would use the commuter lot. She said the commuter lot was not set up for traffic. She said it became more dangerous. She said she was a former teacher. She said the LOS was an F. She said the delays became unrealistic. She said the store did not fit in the requested location. She requested the Board to find a different direction for the proposal.

2. Mr. Hank Scharpenberg said he lived at 2342 Courthouse Road in the Aquia District. He said he shopped at the store several times a month. He said he would not patronize the proposed location if it were built because of the traffic issues. He said driving on Garrisonville Road was painful. He said the experience was unforgettable. He said it did

not make sense to construct another grocery store when there were others in the near vicinity. He said he would rather see the store built in the Aquia District. He noted the Aquia Town Center lacked businesses. He said a grocery store in that location could start a revitalization effort and would not impact traffic while allowing room for businesses to expand.

3. Mr. John Moonan said he lived at 142 Northampton Boulevard in the Garrisonville District. He said he was opposed to the proposed land use. He asked the Board not to approve the request. He echoed the traffic concerns. He said he saw a firetruck have to almost drive on the sidewalk to maneuver around traffic on Route 610. He said he had seen delays caused by vehicles turning left on Mine Road. He said there was not room on Mine Road for a bicycle. He noted people drove recklessly and at high speeds. He said there was a proposal to construct more housing the area. He said the people who currently lived in the area already struggled navigating the roads. He noted the property was small. He requested the Board deny the request because of traffic and safety concerns.
4. Ynolde Gillan said she lived at 10 Legal Court in the Garrisonville District. She noted the area was not a food desert, and there were already five other stores where groceries could be purchased in the immediate area—Shoppers, Giant, Walmart, Aldi, and Target. She said another grocery store would stunt growth and development trends in the surrounding area by oversaturating the food market. She said the project would result in the degradation of the already busy and time-consuming surrounding intersections.

Ms. Gillan said the additional seconds added to the commutes would be intolerable at best. She noted the off-peak hours were not from 12 p.m. to 4 p.m. on Garrisonville Road, especially during school sessions. She said parents and school buses clogged the intersections long before 4 p.m. She said there was no need for a sixth grocery food establishment within a half mile of existing establishments. She said there were neighborhoods west of the area better suited for the proposed use.

5. Mr. Cliff Heinzer, 316 Ironside Cove, said navigating Route 610 to Mine Road was a common, shared experience. He said the question was what could be done to shorten the trip. He said there was no reasonable proffer that could adequately mitigate the traffic impacts. He said there were better options than the proposed site.
6. Ms. Alane Callander said she lived at 622 Lancaster Street in the Falmouth District. She noted it was a common statement from County staff that the positive aspects of a proposal outweighed the negative aspects. She asked how many times the Planning Commission focused on mitigating negatives that they ignore the project should not be approved. She

said it was often the case in the County that projects were constructed and made the traffic worse. She mentioned deliveries to Lidl would be restricted from 7 p.m. to 7 a.m. She said many deliveries would take place during the height of commuter traffic. She said the area did not need a location. She said a grocery would not move into the Aquia Town Center because there were too many grocery stores in the area. She said the Lidl should be constructed in central Stafford and make it walkable for new neighborhoods planned for the area. She noted that north Stafford saw all the groceries and restaurants, while south and east Stafford had empty storefronts. She said a departure from street buffer requirements was necessary to build the site. She said buffer requirements should be expanded. She said there should be more landscaping along the roads to beautify the community and improve the air quality.

7. Mr. Floyd Bundrant said he lived at 17 Legal Court in the Garrisonville District. He said there had to be consideration for the people who lived in the Garrisonville District regarding the decision. He said the people who lived in the area would be impacted by whatever decision was made. He questioned the impacts associated with the existing stores. He said some stores struggled for years because the community was unable to support the store. He said he commuted from Stafford to Chantilly on a daily basis. He said the route from I-95 to Mine Road was an outlet for traffic backups on Route 610. He said backups on Route 610 caused backups onto I-95. He said there should be an analysis as to the impacts on future growth. He noted the area was one of the fastest growing in the country. He said judgments based on existing traffic conditions were inaccurate.
8. Mr. Neil Hamblin said he lived at 9 New Brunswick Court in the Garrisonville District. He said he drove on the subject roads every day. He said he lived 1.5 miles from the proposed Lidl. He said Walmart was 1.5 miles from his house, Shoppers was 1.9 miles, Giant was 2.1 miles, Aldi was 2.1 miles, Publix was 2.9 miles, Weis was 3.4 miles, and another Walmart was 3.9 miles. He said all were within 15 minutes of where he lived. He said another grocery store would not add value to the community. He said he had concerns regarding the traffic impacts. He said traffic would be encouraged to cut through the commuter lot. He noted the loading times were inadequate. He said rush hour began at 5 a.m. He said if there were deliveries at 6 a.m., then it would cause traffic delays. He said he liked Lidl stores, but the proposal did not add value to the community and it was a net negative.
9. Mr. Jeff Adams said he lived at 449 Kellogg Mill Road. He said traffic was bad on Route 610 15 years ago. He said some of the roads required more than one lane to make a left-hand turn. He said there needed to be more farmers' markets in the County. He said there was only one market. He said the hospital would start a market and hold it one day a month.

He criticized the hospital for holding the market only one day a month. He said there needed to be at least three markets in the County. He said the County should encourage agriculture. He said the traffic was so bad he did not go to the only farmers' market in the County. He said two of the supervisors would vote for the proposal and five would vote against it.

10. Ms. Julie Bundrant said she lived at 17 Legal Court. She noted the applicant had performed internal research. She said that seemed like a conflict of interest, and the applicant should be required to go to an outside party to get data. She said the results from the applicant appeared inaccurate. She explained Lidl first opened stores in the U.S. in 2018 with the goal of opening 100 stores. She said it did not meet the goal within the first year because there were other competing grocery stores. She said Lidl had been successful in areas with different demographics than the County. She said the stores were popular with a younger population—the average age was under 40 and they shopped twice a month. She said whenever traffic studies were performed, they followed a logarithmic trend. She said no one wanted to wait 10 extra seconds in traffic. She asked if the County wanted another future empty lot. She questioned whether the community could sustain the use.

Ms. Vanuch closed the hearing to the public. She explained now was the time when the applicant typically had a chance to address any comments made by the public or any questions or comments from the Board. She said staff would also be able to answer any questions.

Ms. Cameron noted there were several comments related to traffic. She said a traffic impact analysis was required to be done by a consultant. She said the analysis was scoped by VDOT and the County, and the findings were approved by VDOT. She said VDOT reviewed the data and the conclusions and instructed the applicant on how to move forward with the project. She said the study was approved by VDOT and reviewed the scoping document. She noted there were comments regarding the benefit to the County. She said the proposal was a revitalization of an old hotel and allowed for the redevelopment and reclassification of an R-1 residential zone that was unaligned with the Comprehensive Plan.

Ms. Cameron noted there were associated tax benefits. She said the tax base that was being assessed was reviewed. She said the residential tax base was about \$525,000 in real estate tax assessments, and the existing hotel was about \$1.3M for real estate tax assessments. She said the existing Lidl on Route 17 was \$5.5M for real estate tax assessments. She said the proposal revitalized the area and provided an additional tax base to the County. She said there were other uses that could be on the site by-right that did not have to proffer the same conditions. She said the applicant was still in discussions with the Poncho Villa site to purchase the site to improve traffic circulation. She said the applicant would ideally like to keep the Poncho Villa location operating.

She said if the request were denied, the applicant would be able to construct the use by-right on the existing B-2 parcels, including Poncho Villa, without any of the proffers to the County.

Ms. Gary said she did not support the proposal. She said she understood the tax implications, and she was going to argue in support of the project because of the tax implications. She said there was a huge leakage. She said it made sense to construct an affordable grocery store when the economy was about to suffer. She said the options would be needed, but the proposed location was not right. She said the applicant was not providing solutions to make the site work. She said the applicant was stating if the Board did not approve the use, then they could do the project by-right regardless. She said the Board would not make a decision out of the fear they would end up with a negative result. She said she wished there were a different location for the use. She said she could not support the proposal given the way it was presented.

Ms. Allen said it was not best practice to just state whether there was support or not. She said the applicant should understand the concerns. She mentioned the applicant had noted the use would bring jobs. She asked how many people Lidl employed.

Ms. Cameron said she could provide the answer.

Mr. Nick Cacaci, Director of Real Estate, Lidl, said the store would have about 50 employees and additional drivers, distribution staff, and about 100 people working in the construction field to build the store.

Ms. Allen noted there were eight surrounding grocery stores. She asked what data was used to economically justify the use at the specific location. She said the use may not match the area because it was highly competitive.

Mr. Cacaci said they studied how many people were in an area along with the population growth of the area and compared those with how much square footage of grocery store there was. He said the area was still underserved. He said the applicant had considered a location on the other side of Route 1 and I-95. He said there was not enough population to support a grocery store. He said that was why many other grocers had not gone into the area.

Ms. Allen urged the applicant to reconsider the conclusions. She noted her street had added over 100 homes in the past eight months. She asked why the applicant had not considered people commuting the distance to a store located on Route 1 rather than commuting to a store located on Mine Road. She said people shopped based on brand loyalty. She said the applicant was stating they were confident they would be able to compete with the surrounding groceries. She noted moving the store to Route 1 would cause less difficulty for shoppers to get to the store.

Mr. Cacaci said the most successful stores were near other brands. He said when stores were not placed near other retailers, they suffered. He said other grocers were struggling and planning to go out of business.

Ms. Allen asked if the applicant's biggest competitor was Aldi.

Mr. Cacaci said the applicant did not view it that way.

Ms. Allen asked what would make someone decide to go to Lidl instead of Aldi. She asked what other benefit the proposed use was adding to the area.

Ms. Vanuch said in respect of the whole Board, they were getting into a business details question rather than a land-use question. She noted Ms. Allen's questions were helpful. She said she would defer to Ms. Yeung if she had any questions.

Ms. Yeung said she had questions but she would make a motion first.

Ms. Cameron asked if there would be a Board action at the hearing. She said the applicant had assumed no action would be taken until the July meeting.

Ms. Vanuch said it was a public hearing, and once an applicant had a public hearing, a vote could happen at any point.

Ms. Cameron thanked the Chair for the clarification.

Ms. Yeung motioned, seconded by Ms. Bohmke, to deny the application, R22-41.

Ms. Yeung said the proposal was a good idea. She said she had several questions reading the applicant's proposal. She said the answers she had received at the public hearing and at three prior meetings with the applicant had not convinced her to support the application. She said the existing use was better than the proposed use because it generated less traffic. She said the site was not large enough for the development of the proposed use. She said the proposed store, without waivers from VDOT, would be unable to access the loading space.

Ms. Yeung said the site was better suited for smaller buildings with less traffic and lower parking demands. She noted the application had begun prior to her joining the Board. She noted there were already several grocery stores in the nearby vicinity—about 9 or 10. She said the proposed use was not appropriate, and a less intense use would be more appropriate. She said to develop the site, a departure from street buffer requirements was necessary.

Ms. Yeung said the configuration of the property and proposed building did not allow for the utilization of a loading space and dumpster without impacting traffic on a private street that served other businesses. She said Wicomico Drive served as overflow parking for the commuter lot. She noted there were no County transportation improvements planned or funding to resolve traffic congestion at the site. She said the validation of Section 7.7.7 of the Comprehensive Plan resulted in degradation of the LOS of the surrounding intersections without any mitigation.

Ms. Bohmke said the Falmouth District was in south Stafford. She said the Board had to be cognizant of the public comment. She said a survey of the community had been completed, and one of the items that needed addressing regarded transportation and traffic congestion. She said the public safety numbers were good. She said public safety was the number one priority in the County. She said the three biggest challenges to the Sheriff's Department on the roads were distracted driving, aggressive driving, and speeding. She said further delays on Route 610 would cause more aggressive driving. She said people were already frustrated on the road. She said she could not support the proposal.

Mr. Coen said he did not see any conditions mitigating the impacts to the wetlands. He said he was concerned about the reductions in the street buffer requirements. He said the \$25K sidewalk proffer was not adequate. He asked how many other major businesses were located on private roads. He said he was concerned about the location. He noted entering delivery vehicles would cause logistical issues. He said he agreed with Ms. Gary's comments regarding by-right development. He said he could not support the proposal.

Ms. Allen mentioned she shopped at Lidl. She said the site was not the ideal location for the proposed use. She said the traffic delays were significant and added up. She said she could not envision the safe use of Wicomico Drive as an entrance. She said accidents often happened at Mine Road and Salisbury Drive because of sudden stops to turn into businesses. She said accidents, speeding, and aggressive driving were a consistent issue. She said VDOT should have provided another location for the entrance. She said she had a conversation with VDOT regarding improving traffic on Mine Road. She said she could not approve the use and claim to support traffic safety in the County.

Mr. English said he was supportive of the proposal because of the competition. He noted the other businesses on Route 610 received truck deliveries. He said Lidl would be able to handle the deliveries. He said if the County were to enter into a recession, then Lidl would provide competition.

Ms. Gary said she wanted to support the application, but it was the wrong location. She said applicants should offer solutions to mitigate the impacts rather than demanding the Board approve the use.

Ms. Vanuch said the location was not appropriate. She said there were other areas where the use would align with the Comprehensive Plan more efficiently. She said three intersections would have impacts inconsistent with the Comprehensive Plan. She said that was the deciding factor for her. She said the Comprehensive Plan was a guide and was implemented for a reason. She said she would be voting against the proposal.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Coen, Gary, Vanuch, Yeung
Nay: (1) English

Resolution R22-41 reads as follows:

A RESOLUTION TO DENY A REQUEST TO RECLASSIFY FROM THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT TO THE B-2, URBAN COMMERCIAL ZONING DISTRICT TAX MAP PARCEL NO. 21-27; AND A REQUEST TO AMEND PROFFERED CONDITIONS IN THE B-2, URBAN COMMERCIAL ZONING DISTRICT, ON TAX MAP PARCEL NO. 21-28G (PORTION), ALL LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, Lidl US Operations, LLC, applicant, submitted application RC21153778, requesting a zoning reclassification from the R-1, Suburban Residential Zoning District to the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 21-27, consisting of 0.93 acres; and a proposal to amend proffered conditions in the B-2 Zoning District on Tax Map Parcel No. 21-28G (portion), consisting of 1.37 acres, all located within the Garrisonville Election District; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the requested zoning amendments are incompatible with the surrounding land uses and do not meet the criteria for a rezoning in Stafford County Code Sec. 28-206;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that the requests pursuant to application RC21153778 be and they hereby are denied.

Item 23. Parks, Recreation, and Community Facilities; Consider an Ordinance to Authorize and Implement Parking Fees at the Historic Port of Falmouth.

Mr. Michael Morris, Deputy County Administrator, said he would review the previous discussions on the topic. He said the Board had requested information regarding the costs for park maintenance and operation, the costs for Fire and Rescue to monitor the site, the costs for Fire and Rescue and the Sheriff's to respond to the site, and the potential revenue from charging \$25 per car. He said the Board discussed parking tickets and vehicle impounding in the neighborhoods, and the records and reports were provided. He said the prior year's expenditures were provided along with the funding impact for implementing the fee and the expected revenue from the fee.

Mr. Coen asked if the estimated revenue was for the entirety of a summer season.

Mr. Morris said it reflected the revenue for the entire summer. He said the additional funding needed reflected the needs of an entire summer and would be less if the program began later in the season.

Mr. Morris said staff would have to be hired to implement the fee. He said it would be an estimated six weeks to advertise the position, review applicants, and onboard a candidate to payroll. He said credit card machines would have to be installed at the park. He said fee collection could start around July 22.

Mr. Morris said the benefits of charging a fee had been discussed. He said a benefit was to recuperate the costs associated with the beach. He said the fee would provide a control mechanism for the parking and help the County determine how many people used the beach and from where they came. He said there were potential challenges. He said people had not been required to pay in the past, so it could cause issues. He said beach visitors to HPOF would find other ways to attend the beach—such as purchasing fishing permits and parking at Two Stones or in adjacent streets and neighborhoods.

Ms. Vanuch said she went to the beach every day over the past two weekends. She said there were multiple parking lots—one at the Port of Falmouth, one next to that parking lot which was used by fishers, and an upper lot owned by the County. She asked if a fee would be charged to park in the fisher lot as overflow and if the County would charge a fee to park in the upper lot.

Mr. Morris said the lot at the HPOF would have an associated fee. He said the lot further down River Road, referred to as Two Stones, had a locked gate and required a fishing permit to use the lot.

Ms. Vanuch noted Parks staff stated the gate would be left open by people fishing and would cause the lot to get out of control. She asked about the upper lot.

Mr. Morris said at the intersection of Falmouth Road and Butler Road, there was a parking area. He said the Grizzle Center parking by the cemetery had been identified as one of the three primary parking areas.

Ms. Vanuch said a fee would be charged at each of the locations.

Mr. Morris said Ms. Vanuch was correct. He said to implement the fee, it would take additional resources.

Ms. Vanuch said internet service was difficult at the beach. She asked what would be done about the credit card machines. She said the fee could be pre-advertised, and then there could be an app where people pre-pay for a parking pass because of the intermittent service. She asked if staff had considered the issue because there were concerns about connectivity for points of sale.

Mr. Morris said an iPad or a phone with cellular service would have to be used as opposed to WIFI service. He said reception was not great in the area for WIFI, but cellular coverage was decent.

Mr. Coen asked if debit cards would be allowed.

Mr. Morris said debit cards would be allowed.

Ms. Vanuch suggested staff investigate pre-payment through an app. She said there were services where parking spaces could be reserved.

Mr. Morris said staff had researched pre-payment applications. He said there were companies that provided the service and infrastructure to pre-pay and reserve parking spots. He said the County would entertain that option. He said that a difficulty with prepayment was the resident versus non-resident requirement and how that would be implemented. He said it would be researched further.

Mr. Morris said the recommended action before the Board was to charge a \$25 fee to park for non-residents of Stafford and Fredericksburg. He said the fee would apply every day of the week from Memorial Day weekend through Labor Day weekend. He said the fee would be charged at three parking locations as previously indicated—HPOF, the Falmouth intersection, and the Grizzle Center. He said the revenue would be placed into a designated account toward improvements for the area. He said he was open to questions.

Ms. Vanuch opened the hearing for public comment. She said the rules for comment were the same as the previous hearing.

1. Ms. Karen Brown said she lived at 507 Winterberry Drive in Ms. Bohmke's district. She said she was at HPOF at least once a week with her dog. She noted the volume of litter and defilement on the beach. She said the beach trash was shocking. She provided images on poster board of the litter she had collected at the beach in July two years ago. She said she had filled up a garbage bag with litter after eight County workers collected trash on the beach. She said immigrants and people from third-world countries did not care about trash or litter because they were more focused on providing basic needs.

Ms. Brown said provided was a recent picture of trash on the beach. She said the funds from the fee collections should be used to start a campaign to mitigate litter in the area and translate the campaign to other jurisdictions. She said they needed to bring back the campaigns from the 1970s such as Woodsy Owl and Keep America Beautiful. She displayed more images of collected litter from HPOF. She said HPOF was partly responsible for the trash gyres in the Atlantic ocean.

Ms. Vanuch said Ms. Brown would have to wrap up her comments. She said Ms. Brown could leave the images with the Clerk if she desired.

Ms. Brown said she was in favor of the parking fee.

2. Mr. Cliff Heinzer, 316 Ironside Cove, said the Board had expressed the need to bring tourist dollars into the County. He said the Board should consider the future vision for the area and how to optimize the beach to maximize its utility to the community.
3. Ms. Alane Callendar said she lived at 622 Lancaster Street. She said the proposed \$25 parking fee would not resolve the issues at the park. She said there was an assumption that the majority of the park users were not Stafford residents. She said most of the users were in fact County residents. She said the County was supposed to promote tourism, and tourists should not be discouraged from visiting HPOF. She asked if tourists would be charged for other attractions. She said the fee and ID check would cause further chaos. She said there was no place to U-turn if a visitor decided not to pay the \$25 fee.

Ms. Callendar said the County was wasting funds to set up a fee collection program that may not result in the anticipated revenue. She said Mr. Coen had surveyed the license plates of parked vehicles at HPOF and determined most were County residents. She said since the program would not start until mid-season, there should be a study period to determine solutions for the following year. She said there needed to be a path from Grizzle Center to

the park, or a road with an adjacent walking path, to make it safer to navigate the traffic. She noted improvements were planned for Butler Road.

Ms. Vanuch closed the hearing to the public. She said the hearing was open to questions from the Board. She noted she had requested the Sheriff's Department to fly drones along the beach. She said the department had captured photographs of the beach the past weekend. She said it was a light-attendance weekend. She said the traffic was atrocious as people attempted to park on the side of the street to enter the beach. She said the aerial images of the beach were taken at noon and at 4 p.m. She said the worst weekend at the beach was on July 4th. She noted how people set up tents on the beach and went into the river.

Ms. Vanuch noted that someone operated an illegal parking facility opposite the entrance to the beach parking lot on River Road. She said they charged \$20 to park. She said when she went to the beach in the morning, it was empty, but when she went in the evening, the illegal lot was full. She said the person put out small parking signs and operated the facility like a business. She said Planning and Zoning needed to address the illegal business. She said there was an ice cream truck that was not permitted in the County that distributed ice cream at the beach. She said it was not approved through the County and it did not pay taxes to the County. She noted the location of the upper lot and the location of the overflow lot. She said the neighboring RE/MAX complained about the trash and litter that blew over from the parking lot. She said she provided the images to give a visualization of the parking conditions.

Ms. Bohmke said the weekend the park was closed, it was closed to rain.

Mr. Morris said that was correct. He said it was closed when the water was above three feet.

Ms. Bohmke said it was closed when the water was high. She said the Board had no control until the Chairman requested people be asked to leave the beach. She noted the undertow became dangerous during inclement weather. She asked if people still persisted to stay at the beach even though they were asked to leave due to unsafe conditions.

Mr. Morris said anytime the beach was closed, people still visited—they found other places to park and walked to the beach. He said sometimes people walked across the river.

Mr. Coen said on the Memorial Day weekend, he saw the notification the park was closed at 8 a.m. He said there was a follow-up notification that people were parking in the City and wading across the river. He said Fire and Rescue then went down to the park in case they needed to perform a rescue. He said he visited the site later. He noted staff was at the park to inform people of the

unsafe conditions. He said many people left, but many people also sat on the beach and did not go into the water. He said the next day, it was a similar situation.

Mr. Coen said people attempted to park in front of Two Stones. He said Parks staff had to inform those vehicle owners about the rules. He said people would often drop their families off at the beach and park further away and then walk to the beach. He said it happened at the Route 1 parking lot and the Grizzle Center lot.

Mr. Coen noted that on the Sunday of Memorial Day weekend, not many people parked on River Road, but people were crossing the river from the City and arriving from the regular overflow parking lots. He said from Saturday onward, Fire and Rescue and Parks staff were present. He said there were also crews from the Sheriff's department present to aid with ticketing.

Ms. Allen said she frequented Aquia Beach more often than HPOF. She asked why a similar approach was not applied to Aquia Beach. She noted the parking was atrocious at Aquia Beach. She said she had gone to take her family and could not park. She said there were far fewer parking spots. She said there were issues with trash and out-of-town visitors. She asked why one park was targeted rather than a blanket approach.

Mr. Morris said Aquia Landing had far fewer parking spaces—approximately 40—than HPOF—approximately 80.

Ms. Allen noted the current at Aquia Beach was stronger.

Ms. Gary said people were not drowning at Aquia Landing. She said people swam in the cove areas that were carved out and cleared of hydrilla. She said there was a parking issue at Aquia Landing, and she was in discussions with staff about expanding the parking. She said she had spoken with Superintendent Taylor, and he was organizing events when students would help collect trash at the parks. She said the topic was not an issue with Aquia Landing, and she was addressing the issues with the Landing. She said she was glad to discuss the item further as the solutions progressed.

Ms. Allen said she was not saying it was an Aquia issue. She said if one park was to be targeted—she asked how many drowning experiences HPOF had in the past 10 years.

Mr. English said it was approximately one a year.

Mr. Morris said there were generally three or four a year.

Ms. Allen asked how many drownings Aquia Landing had. She said if HPOF were closed, then people would drive to Aquia Landing. She asked if the issue was solved.

Ms. Gary said she was addressing the issue. She said the topic was Falmouth.

Ms. Allen said they could not discuss one park without a comprehensive approach.

Ms. Gary said they should work on the parks one at a time.

Ms. Vanuch said Ms. Allen was asking questions. She asked if she was finished.

Ms. Allen said she was not finished. She said she was waiting for Mr. Morris to answer her questions. She asked Mr. Morris why there was not a comprehensive approach. She said if they were dealing with one part of the County, then it was at a disadvantage to the other parts of the County. She said if someone brought their family from HPOF to Aquia, how was the problem solved. She said the problem was not solved; it was moved.

Mr. Morris said if people decided to go to Aquia instead, then it would only move the problem.

Ms. Yeung said she would not address the comments regarding broken English, immigrants, Mexico, or third-world countries. She said her family was from a third-world country. She said she was concerned about the environment. She said the pictures of the litter going into the environment were concerning. She said she did not want the County to approve a quick solution and believe it was the end-all-be-all solution. She asked if there was a pilot program for the parking fee. She asked if the proposed fee would be a pilot program.

Mr. Morris said he believed the program was a pilot program.

Mr. Coen asked if that meant there was a one-year term for the program.

Mr. Morris said there was a request at the prior meeting that the program have a schedule to be reevaluated.

Ms. Vanuch said it was included, and the program would be reevaluated during the following spring.

Ms. Yeung noted this would be a pilot program. She said they would review whether it solved the problem. She said it was a safety issue—cars parking on the side of the road and people walking along the road. She said she did not want individuals to be targeted because they had to show a

license. She said they needed to ensure there was cultural sensitivity because people were nervous around police.

Ms. Vanuch said the Parks and Recreation staff would be reviewing licenses and taking payment. She said a vehicle would be towed if someone did not pay, but only a tow-truck driver was involved.

Mr. English said there used to be an issue with drowning at one edge of the beach at Aquia Landing because of undertow. He said rocks were placed in the area as a mitigating measure.

Ms. Gary said she was aware of the issues.

Mr. English said the Sheriff's office had two deputies at the park on weekends and holidays. He said at a pay rate of \$30/hour, it cost \$1,400 a weekend for the deputies to be at the park. He said it was not only a district problem, it was also a countywide problem. He said it was costing the taxpayer money. He said he supported the \$25 fee. He said too much money was spent on the park. He said if they were able to save money, then it could be spent on other improvements. He said the litter was concerning. He said the pollution of the Rappahannock was a big concern. He said it was too much of a burden on the taxpayers and on staff to clean up trash and maintain the parks.

Mr. English motioned, seconded by Ms. Bohmke, to approve proposed Ordinance O22-19, a \$25 parking fee for non-County and non-City residents at the Historic Port of Falmouth Park.

Ms. Bohmke said she would like to make an amendment that Historic Port of Falmouth Park parking refer to the parking lot by Route 1, the Grizzle Center lot, and the area that was part of Brooks Park.

Mr. Morris said it would be difficult to implement a fee for the parking at Brooks Park because the park had various other amenities. He said it would be difficult to know which amenity people were using. He said there was a skate park, basketball courts, baseball fields, football fields, and soccer fields.

Ms. Vanuch said people traveled out of town for events hosted at Brooks Park.

Ms. Bohmke said it would be an issue.

Mr. English said he accepted the amendment from Ms. Bohmke for the parking.

Mr. Morris said it was just the three areas as discussed—the HPOF parking, the intersection of Falmouth, and the Grizzle Center.

Ms. Bohmke said she did not want to include Brooks Park. She said she wanted to include the area where people would then access the trail. She said it did not have to be included as part of the pilot.

Mr. Morris said staff would evaluate the site to get data on how many people used that entrance.

Ms. Gary said the proposal was not to control people, but rather to make the conditions of the park better. She said the pilot program was a good way to study how to move forward while making the park safe. She said she was in support of the proposal.

Ms. Allen said she did not support the proposal. She said a true pilot program would provide benefits to other parks as well. She said all the beaches and parks with water access should be examined.

Mr. Coen said whenever they created a tax, he considered whether it would achieve its purpose. He said fees were imposed by the government to pay for services. He said the proposed fee was similar to a transient occupancy tax. He said during the pandemic, when people were out of their jobs, staff felt there only needed to be crews present at the park on the weekends. He said the proposal before the Board put staff at the park seven days a week at a time when people were back at work.

Mr. Coen considered whether staff would be spending time sitting and doing nothing during weekdays and if it was a good use of taxpayer funds. He said to put up the fees, signage was required which would raise the costs. He said there was a path that went from the Grizzle Center to Brooks Park. He said the path needed paving, a bridge, or some type of railing, and this would add onto the cost.

Mr. Coen said he had a concern about charging anyone who did not live in the County. He said people in the military from Quantico visited the park—he asked if they would be charged. He asked if the churches that used the park for baptisms would be charged. He said it was questionable to attempt to implement the pilot by July 22. He said it would not be a good measure of success if it was only in place for four to five weeks. He said according to the language of the resolution, the money went to future projects for the area—not the costs incurred that year. He said people were being taxed for an unknown project.

Mr. Coen made a substitute motion.

Mr. Coen motioned, seconded by Ms. Allen, that no parking fees be applied during the summer of 2022 and that staff implement the plan already set in place; and staff will bring back before the Board no later than a November meeting a holistic plan for development for the park with input from staff members, members of the Parks and Recreation Department, the Wetlands Board, the Friends of the Rappahannock, residents and business owners in Historic Falmouth, and other stakeholders staff deemed appropriate.

Mr. Coen said there needed to be a holistic plan. He said his motion was to give staff time to develop a plan by November. He said the work needed to start at the end of the calendar year in order for there to be enough time to implement the program before Memorial Day.

Ms. Vanuch noted a vote in favor of the substitute motion was to not implement parking fees during the summer of 2022.

The Voting Board tally was:

Yea:	(3)	Allen, Coen, Yeung
Nay:	(4)	Bohmke, English, Gary, Vanuch

Ms. Vanuch noted the motion failed. She said there would be a vote on the primary motion, to implement the \$25 parking fee at the three parking lots, as substituted by Ms. Bohmke and introduced by Mr. English.

Ms. Vanuch said the Board had been trying to address the issue for several years. She said it was critical to get feedback from staff present at the park. She said they needed to advertise the fee to visitors. She said coordination with the Sheriff's department was also critical to the implementation of the pilot. She said when a park was closed, using it was trespassing. She said staff needed to be present to ensure people left the park when it was closed. She said it was illegal to drop families off at the park and then park somewhere else.

Ms. Vanuch said the fee was a deterrent to non-County residents. She said visitors were already paying for parking because they paid to use the private lot across the street. She said the zoning needed to be enforced. She said she supported the proposal. She noted there had to be two Sheriff's deputies at the park on weekends and holidays. She said the same deputies who patrolled the beach were in the traffic safety unit. She said there were only 10 deputies in the traffic safety unit.

Ms. Vanuch said the Parks facilities should be able to operate the facility on its own, so they only needed to call in the Sheriff's Office for reinforcement and not expect them to patrol this area, because they did not have the manpower to do that. She said that was the big reason she was supporting this. She said that they had all requested more radars, and perhaps that could be done

if sheriffs were not occupied with the park. She said that concluded her comments. She said she would now open the floor for a vote.

The Voting Board tally was:

Yea: (5) Bohmke, English, Gary, Vanuch, Yeung
Nay: (2) Allen, Coen

Ms. Vanuch thanked Mr. Morris. She said to please give them feedback when they instituted it, and the Board would love to hear how it was going.

Mr. Morris said they would come back at the end of the summer with a report.

Ms. Vanuch said even the weekend after he could send them an email, as they would be happy to have an update.

Ordinance O22-19 reads as follows:

AN ORDINANCE TO IMPLEMENT PARKING FEES AT THE HISTORIC PORT OF FALMOUTH

WHEREAS, overcrowding and parking challenges exist at the Historic Port of Falmouth; and

WHEREAS, the Board desires to impose a \$25.00 per car parking fee at this site and designated parking areas associated with the Historic Port of Falmouth for non-residents of Stafford County and the City of Fredericksburg; and

WHEREAS, fees would be collected every day during the summer season, from the Friday prior to Memorial Day to the Monday of Labor Day; and

WHEREAS, the Board intended the fees collected to be placed in a fund designated for improvements at the Historic Port of Falmouth; and

WHEREAS, the Board carefully considered the recommendation of staff, and the public testimony, if any, received at the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 7th day of June, 2022, that a parking fee in the amount of Twenty-five Dollars (\$25.00) per car be and it hereby is authorized for implementation at the Historic Port of Falmouth and designated parking areas associated with the Historic Port of Falmouth to be charged every day, between the Friday prior to Memorial Day and the Monday of Labor Day each year; and

BE IT FURTHER ORDAINED that parking fees collected for the Historic Port of Falmouth and designated parking areas associated with this site will be set aside and placed in a fund designated for improvements at the Historic Port of Falmouth; and

BE IT STILL FURTHER ORDAINED that staff will bring this fee back for review by the Board within one year of adoption of this ordinance.

Item 24. Planning and Zoning; Consider Amendments to County Code Chapter 22-A, Purchase of Development Rights.

Assistant Director of the Department of Planning Kathy Baker said this item was for the Board to consider Proposed Ordinance O22-17, which amended Chapter 22-A, the Purchase of Development Rights, otherwise known as PDR. She said the community and Economic Development Committee reviewed this in April, and the Board authorized the hearing in May. She said primarily the amendments were going to revise the ranking criteria in their PDR Ordinance, it would also revise the name of their Agricultural PDR committee and establish an appraisal process for their future applications.

Ms. Baker said the program was developed in 2007, and the Agricultural PDR Committee and PDR administrator were appointed to oversee the program. She said the program focused on the acquisition of conservation easements from sellers, and that would limit further residential development on these properties. She said landowners could retain the property, but the restrictions would be placed on the property with a deed of easement.

Ms. Baker said the program had an established application process and properties must meet eligibility requirements. She said they had to be 20 acres in size and be zoned A1 or A2. She said the application rounds were held when they had sufficient County funds, and the applications were submitted and ranked according to these criteria that were specified in the ordinance, so the Board would vote to authorize the acquisition of the easements as they were ranked. She said the County had conducted three application rounds to date, they had 12 properties totaling over 1,000 acres.

Ms. Baker said the last two properties from the 2017 application round were now in process and should be finalized this year, and the committee was looking to start a new application round in July as they had funds at this point in the PDR budget item to move forward with that. She said the committee had identified the changes to the ordinance that would help facilitate the application process. She said the changes to the ranking criteria were to better align their criteria with criteria from the federal and state agencies that provided the matching funds to them so their properties would rank higher going through those and hopefully would get those grants.

Ms. Baker said the amendments would also change the name to the Agricultural and Land Conservation Committee, which was so the public had a better understanding that it was for conservation if they did not know what PDR meant. She said it would still be the PDR program, but the committee would be more of an overarching name to reflect the broader program. She said

lastly, through the past application rounds, development rights had been determined by a pre-set methodology; they came up with the number of development rights on a property and they paid \$25,000 per development right.

Ms. Baker said in 2021, the Board had requested that they move forward with an appraisal process instead of this predetermined process, so when they started working with the property owner, they would have an appraisal done on the property, and that would determine what they would pay that property owner. She said the process would include an establishment of a three-member committee, which would include the Commissioner of Revenue and a certified appraiser, and one of the Agriculture PDR members, and the committee would review the appraisals as they came in to ensure they were following all the standards. She said staff recommended they adopt the proposed changes.

Ms. Bohmke said she was happy they had the appraisal part of the application in their ordinance amendment, because it took out the guessing and odd positions that Board members were put into over the last year or two. She said it had been challenging, so she appreciated Ms. Baker coming back and giving them the changes.

Ms. Gary said that since they were going forward with negotiating this MOU with the NVCT, she would like to know if this was likely to change again.

Ms. Baker said their primary focus would be on donated easements and doing public outreach.

Ms. Gary asked if this would not impact that.

Ms. Baker said they would contribute to this, but there would not be any changes that would be required to the ordinance.

Ms. Gary said this was a fairer process for the landowners with the assessments. She asked if that was fair to say.

Ms. Baker said she was not sure what Ms. Gary meant by fair, but in their past applications, they knew up-front what they were going to get because of the predetermined methodology. She said now, they would be ranked.

Ms. Gary said she was not insinuating that it was not fair before. She said this was a good way to have the property assessed for the landowners.

Ms. Baker said since they had to have them appraised anyway for the matching funds as a requirement, and the matching fund agencies only required 50%, as Ms. Bohmke alluded to, it was going to preclude them from getting into a situation where a property might come in under-appraised and the Board would be paying more money.

Mr. Coen said the new round was starting, so he would like to know if the new round would be under the old rules or the new rules.

Ms. Baker said it would be under the new rules, and they were waiting to see if this ordinance was passed.

Mr. Coen asked if the applicants knew that.

Ms. Baker said they would send out notification to all A1 property owners with more than 20 acres.

Ms. Yeung said her interest was in the education to those individuals who were older and had the land who sometimes were wary of government. She asked what educational program they had in place that was accessible to people of all ages. She asked if they were going to do anything like home visits or something to get trust.

Ms. Baker said what they did when they opened a new application round was they would send out notices to all eligible property owners, and they would conduct a public information session in the Board's chambers after sending the notice, and they would provide all that information. She said there were people who did not have internet, but they had her contact information where they could contact her and she would walk them through the process and let them know what was required. She said they recommended that everyone hired a consultant or attorney to let them know if it were the right program for them, so they would try to guide them as much as they could.

Mr. English asked who the appraiser would be and how they would be chosen.

Ms. Baker said they worked through their procurement process just like any other position.

Mr. English asked if the appraiser could be from any region.

Ms. Baker said anyone who responded to their bid would be considered.

Mr. English asked if they had reached out to the Agriculture Committee and if they were on board with this.

Ms. Baker said yes, they actually helped craft the draft ordinance.

Mr. English asked if the Commissioner of Revenue also worked with them on this.

Ms. Baker said yes, they had talked with them about being on the committee and going through the appraisal process.

Ms. Vanuch said she would now open the public hearing. She said there were two members of the public, so she would not go over the directions again.

1. Mr. Adams said he invited them earlier to come see a conservation easement, because he had one, and he was unsure if he should say that years ago, Mr. Coen voted for it when he was on the committee, but if he recalled correctly, he did. He said he had several problems, not with the ordinance, but with the process. He said first, he liked the old way of 100 acres divided by three, 33 lots, take three out for the road and a pond, and 33 times 25 was \$750,000. He said he knew within 15 minutes of the application what they were willing to pay, and the person knew whether they were going to accept \$750,000 or not. He said he preferred that, but he understood this method. He said he was on the committee but was talking for himself and not for the committee.

Mr. Adams said to Ms. Yeung that what happened education-wise was that many people had gone through this process multiple times, and it could be an aggravating process when one was told they were going to get a certain amount, and they had to wait 20 to 30 months. He said his biggest complaint with this program was that there had never been enough money, and they had people who, if they could churn the money fast enough, when they paid today, they would buy a 100-acre farm tomorrow and put that in, and they would churn that money into it again.

Mr. Adams said he had been on the committee for long enough to know that they had to find a way for the Board to fund it. He said \$150M to buy a school or \$150M to buy a conservation property, and they did not need the school. He said Ms. Baker or one of her assignees would come out to a farm one day a year and took a few pictures, which was not costing the County \$1M. He said to keep a school open cost millions and millions, so the \$150M for High School 6 was just a drop in the bucket, and it was the \$200M for the next 20 years.

Ms. Vanuch asked if there was anyone else who wished to speak. Hearing none, she brought the matter back before the Board for any additional questions or to make a motion.

Mr. Coen motioned, seconded by Ms. Bohmke, for approval of proposed Ordinance O22-17.

Ms. Vanuch asked if there was any discussion.

Mr. Coen said it was one of the few things that had been a great source of pride when they did this. He said they used to have a more dedicated funding source, then the first or second year he was on this Board, there was a push from certain Board members to reduce the amount of money, and hopefully they could get back to having it. He said they at least had a dedicated funding source as something. He said it was a program that worked, and farmers went out and bought new property to keep more land out of development. He said for people who spoke volumes about growth and development, this was one of the ways they very successfully stopped development.

Ms. Yeung said listening to Mr. Adams being on that committee, she asked if there were any suggestions of what worked better for individuals who actually were farmers and if they were refining this process for them.

Ms. Baker said before Ms. Yeung was on the Board, it had gone back a few years to where the Planning Commission had a subcommittee that was formed that included a member of the Ag PDR Committee and a landowner who had a conservation easement property, so the committee had input at that time about the process, revisions, and working towards trying to make it a better process for the landowners to be more informed, educated, and aware as they went through the process that it would take time to get through. She said as they said, they had the one property owner now who applied in 2017 and their application was just now being processed because they had to wait until they had the funds to get it processed.

Mr. English asked how much money they were expecting to have in that program this year.

Ms. Baker said at the end of this fiscal year, which was the end of this month, they should have a little over \$900,000, and they would match that.

Mr. English asked what was wrong with the old way they were doing things.

Ms. Baker said the Board requested that they moved to the appraisal process since they were already requiring the appraisals, and it ended on that.

Ms. Vanuch asked if the Supervisors had further comments.

Mr. Coen said he would rather defer the motion.

Ms. Gary asked if there was a new round in July.

Ms. Baker said not if they did not have the ordinance.

Ms. Gary said they could not do another round starting in July if they did not have this done.

Ms. Bohmke motioned, seconded by Ms. Yeung, to defer the item until the July 5 meeting.


The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay: (0)


Ms. Vanuch reminded the public their next meeting was not until July 5. She said however, in all of their comments tonight, they failed to mention that this was now the official last meeting for Michael Smith, their acting County Administrator. She thanked Mr. Smith on behalf of the entire Board for coming out of his retirement and helping them for the last few months. She said they appreciated him helping lead the Board through this time and helping them find an amazing County Administrator.

ADJOURNMENT

At 9:44 p.m., Chairman Vanuch adjourned June 7, 2022 Stafford County Board of Supervisors meeting.

For 

Michael T. Smith
Interim County Administrator



Crystal L. Vanuch
Chairman