

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on January 19, 2021 at 7:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Archie A. Fox, Vice Chairman (Fork District); Tony F. Carter (Happy Creek District); Walter J. Mabe (Shenandoah District); and Delores R. Oates (North River District); also present Edwin C. Daley, Interim County Administrator; Jason J. Ham, Interim County Attorney; James Bonzano, Fire Chief; Rick Farrall, Emergency Coordinator; Emily Ciarrocchi, Deputy Clerk of the Board

Closed Session - Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Fox, and by the following vote, the Board of Supervisors entered into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice; she further moved that discussion be limited to *County of Warren v. Thomas Eric Roslund, et als*, and golf course use and lease matters.

She also moved the Board enter into a closed meeting under the provisions of Section 2.2-3711(A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel for the provision of legal advice regarding legal issues concerning committee assignments:

Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

Mr. Carter arrived in the closed meeting at approximately 6:15 PM.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors certified to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

Call to Order and Pledge of Allegiance of the United States of America

Adoption of Agenda - Additions or Deletions

Dr. Daley requested the addition of an item (M-1) for the consideration of a Memorandum of Understanding with Warren Memorial Hospital regarding the use of County facilities for the purpose of administering vaccinations for SARS-CoV-2 (Coronavirus).

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors adopted the agenda as amended:

Aye: Carter, Cullers, Fox, Mabe, Oates

Public Comment Period (60 Minute Time Limit)

The below proposed resolution was presented to the Board of Supervisors during the Public Comment Period:

CONSTITUTIONAL SANCTUARY COUNTY RESOLUTION OF WARREN COUNTY BOARD OF SUPERVISORS

WHEREAS, Amendment I of the Bill of Rights states, *"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances;"* and

WHEREAS, the Constitution of Virginia Article 1, Section 1 states, *"That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety;"* and

WHEREAS, the Constitution of Virginia Article 1, Section 12 states, *"That the freedoms of speech and of the press are among the great bulwarks of liberty, and can never be restrained except by despotic governments; that any citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; that the General Assembly shall not pass any law abridging the freedom of speech or of the press, nor the right of the people peaceably to assemble, and to petition the government for the redress of grievances;"* and

WHEREAS, Amendment IV of the Bill of Rights states, *"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated"* and

WHEREAS, Amendment VIII of the Bill of Rights states, *"no excessive fines shall be imposed;"* and

WHEREAS, the Governor, is currently attempting to prohibit the gathering of more than 10 citizens at a single time (even in their own homes), and is attempting to do so through Executive Order, rather than the legislative process; and

WHEREAS, the Governor, has placed undue strain on local businesses, while arbitrarily, illogically, and unequally restricting some businesses more than others, and is attempting to do so through Executive Order, rather than the legislative process; and

WHEREAS, the Governor has restricted free commerce and has instituted excessive fines for businesses unable or unwilling to act as law enforcement for his unlegislated orders upon customers; and

WHEREAS, the Governor has restricted the liberty of citizens by imposing lockdowns and curfews; and

WHEREAS, the Governor has alluded to the possibility of enacting further extra-legislated orders; and

WHEREAS, this order is clearly in violation of the Constitution of Virginia and the United States Bill of Rights

WHEREAS, the Warren County Board of Supervisors does not recognize the Governor's order pursuant to the Constitution of Virginia Article 1 section 2 which states, *"That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them;"* and

WHEREAS, the Warren County Board of Supervisors wishes to express its deep commitment to the freedoms enumerated in the U.S. and Virginia Constitutions, and the U.S. and Virginia Bill of Rights; including the rights of all citizens of Warren County to peaceably assemble and to engage in commerce for the financial support of themselves and their families, and

WHEREAS, the Warren County Board of Supervisors wishes to express opposition to any order or law that would unconstitutionally restrict the rights of the residents of Warren County, and

WHEREAS, the Warren County Board of Supervisors wishes to express its intent to stand as a Sanctuary County for the Bill of Rights and the Constitution; and to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use all such legal means at its disposal to protect the rights of the residents of Warren County to freely exercise their religion; to peaceably assemble; to freely engage in commerce; to the free movement of persons; and any other individual liberty recognized as belonging to the People, and

WHEREAS, the means within the power of the Warren County Supervisors includes the power to initiate legal action, the power to petition for redress of grievances, the power to appropriate funding for the law enforcement of Warren County, and the power to direct the employees of Warren County to not enforce any unconstitutional law or purported order.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Warren County, Virginia that:

1. The Warren County Board of Supervisors will vigorously search for solutions that protect its residents and businesses from all purported laws, Executive Orders, regulations, resolutions, and any other decree or action that, in the opinion of the Board of Supervisors, violate the U.S. Constitution, the Virginia Constitution, the U.S. and Virginia Bill of Rights, and any other duly enacted law; and
2. The Warren County Board of Supervisors hereby declares Warren County, Virginia, as a “Constitutional Sanctuary County” and expresses its intent to uphold the U.S. and Virginia Constitutions and other clearly established rights of the People of Warren County, Virginia; and
3. The Warren County Board of Supervisors hereby expresses its intent that no Warren County funds will be used to restrict the Constitutional rights and other clearly established rights of the People of Warren County, and that no County funds shall be expended to aid federal or state agencies in the restriction of said rights; and
4. The Warren County Board of Supervisors hereby expresses its desire that no Warren County employees, government funds, resources, agencies, contractors, buildings, detention centers, or offices may be used for the purpose of enforcing laws that unconstitutionally infringe on the Bill of Rights, Constitutional Rights, and other clearly established rights of the People; and
5. The Warren County Board of Supervisors supports local law enforcement who support the clearly established rights of the People; and requests its Sheriff to refrain from assisting any state law enforcement officer, state health agent or federal agent attempting to enforce the unconstitutional order of the Governor; and
6. Warren County employees may not assist in or promote the enforcement of any Executive Order or regulations, that purports to limit or direct the free exercise of religion; peaceable assembly; free engagement in commerce; free movement of persons; nor any other individual liberty which the Constitution of the United States or the Commonwealth of Virginia as belonging to the People.

The following individuals spoke in favor of this proposed resolution or submitted emails in support:

- | | | |
|-------------------|----------------------|------------------------|
| • Melanie Salins | • Mike Salins | • Carol Cuddeback |
| • Anna Barren | • Sarah McFadden | • Thomas McFadden, Sr. |
| • Sarah Lhymn | • Josh Ingram | • Hugh Owen |
| • Chris McMahon | • Amber Morris | • Tim and Jean Hart |
| • Alison Propps | • Ashley Harris | • Raymond Francis |
| • Mike Mayer | • Michelle Scheutzow | • Billy Robinson |
| • Andrew Snyder | • Hillary Horner | • Roma Gniewek |
| • Peter Romanchuk | • Krista Adanitsch | • Thomas McFadden, Jr. |

- Robert Adanitsch
- Meg Jalsevac
- Manuel Vicente
- Jane Elliot
- Christina Baker
- Eleanor Horner
- Celia McGovern
- John McGovern
- Anna Hopkins
- Colleen Fier
- Larissa Fedoryka
- Ray Stone

John Hight submitted an email in opposition to the proposed resolution.

Tiny Tang, formerly from China and now residing in Fairfax County, and Mark Yang, a Chinese-American residing in Fairfax County, delivered a presentation to the Board on forced organ harvesting in China.

Craig Anderson, 110 Sunset Lane, was upset that some Board members were regurgitating leftist talking points when they participated in Front Royal Unites marches several months ago and brought up the rumor that certain Board members even helped to create the name "Front Royal Unites". He thought the Constitutional Sanctuary resolution was a good first step to resisting tyranny and believes masks will go away soon because they served their purpose in getting the November presidential election stolen. He wondered if there was a way to get rid of voting machines altogether since they assisted in getting the November presidential election stolen as well.

Bruce Townshend, 460 Apple Jack Circle, Linden, asked the Board to take the other speakers at this meeting under advisement. He asked that the Board members pay attention to the letter of the law of the Commonwealth and the County.

There were no further presentations from the public.

At this time, Mrs. Cullers called for a brief recess, and the meeting reconvened at 8:32 PM.

Public Hearing – Ordinance to Amend and Re-Ordain Sections 66-28 (Running at large restricted), 66-29 (Violations and penalties), 66-31 (Procedure upon observation of dog in violation), and 66-32 (Restricted areas enumerated) of the Warren County Code – Caitlin Jordan

Caitlin Jordan, Senior Assistant County Attorney, and Sergeant Laura Gomez with the Warren County Sheriff's Office Animal Control Division reported Warren County Code Section 66-28 makes it unlawful for any dogs to run at large at any time in such areas of the County as designated by ordinance, except when in immediate control of the owner or custodian of such animal. A dog shall be deemed to "run at large" while roaming, running or self-hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control. Section 66-29 outlines the violations and penalties applied to this offense.

Section 66-32 enumerates the specific areas and subdivisions where restrictions have been applied since 1984. In the 2019 Session of the Virginia Legislature, Va. Code

Section 3.2-6538, which grants localities to prohibit dogs from running at large, was amended to include a prohibition on dogs running at large in a pack. Violations for any person who permits his dog(s) to run at large in a pack will be subject to a class 4 misdemeanor as well as a fine up to \$100 fine.

Therefore, Warren County Section 66-28, 66-29, and 66-31 should be amended to reflect the recent changes in the Virginia Code. Additionally, the Warren County Sheriff's Office has requested the Board of Supervisors to amend Warren County Code Section 66-32 to apply the prohibition of dogs running at large to the entire County, not just specific residential areas within Warren County.

Mrs. Cullers opened the public hearing. There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors adopted the proposed ordinance to amend Warren County Code Sections 66-28, 66-29, and 66-31 to include running in a pack and to amend Warren County Code Section 66-32 to extend the prohibition of any dog running-at-large to apply to the entire County:

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

ORDINANCE TO AMEND AND RE-ORDAIN CHAPTER 66, ARTICLE V (RUNNING AT LARGE)
OF THE WARREN COUNTY CODE

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Section 66-28 (Running at large restricted) be amended and re-ordained; that Section 66-29 (Violations and penalties) be amended and re-ordained; that Section 66-31 (Procedure upon observation of dog in violation) be amended and re-ordained; and that Section 66-32 (Restricted areas enumerated) be repealed as follows:

CHAPTER 66. Animals

ARTICLE V. Running at Large

§ 66-28. Running at large ~~restricted~~ **and running at large in a pack prohibited.**

It shall be unlawful for any dogs to run at large at any time ~~in such areas of the~~ **within Warren** County, except when in immediate control of the owner or custodian of such animal. A dog shall be deemed to "run at large" while roaming, ~~or running or self-hunting~~ off the property of its owner or custodian and not under its owner's or custodian's immediate control. **However, a dog shall not be considered at large if during the hunting season it is on a bona fide hunt in the company of a licensed hunter or during field trials or training periods when accompanied by its owner. A dog shall be deemed to be "running at large in a pack" if it is running at large in the company of one or more other dogs that are also running at large.**

§ 66-29. Violations and penalties.

Any person who permits his dog, of which he has ownership or custody, to run at large or unrestricted shall be deemed to have violated the provisions of this article and shall be punished as a Class 4 misdemeanor in accordance with the Code of Virginia **and shall be subject to fines in accordance with section 66-16.** In order to prepay the fine, such person must pay to the Warren County General District Court, no later than five business days prior to the court date, both a fine of \$50 and a court processing fee as determined by the Warren County General District Court.

The owner or custodian of any dog found while running at large in a pack shall be subject to a civil penalty in the amount of \$100.00 per dog so found.

§ 66-31. Procedure upon observation of dog **or dogs** in violation.

Upon personal observation of the Animal Control Officer, any dog running at large or **running at large in a pack or** unrestricted in violation of this article whose owner**(s)** or custodian**(s)** the Animal Control Officer is not able to ascertain immediately may be impounded by the Animal Control Officer and confined in a pound or enclosure maintained in accordance with the guidelines issued by the Department of Agriculture and Consumer Services, such confinement and subsequent disposition of such animal to be as provided for in the Code of Virginia.

~~§ 66-32. Restricted areas enumerated.~~

~~It shall be unlawful for any dog to run at large in the following areas of the County:~~

- ~~A. Within the boundary lines of Skyland Estates Subdivision (Sections 1-9, S and X) as shown on Warren County Tax Map 23A, Sheets 1-6.
[Amended 6-4-1996]~~
- ~~B. Within the boundary lines of Shenandoah River Lakes Subdivision as shown on Warren County Tax Map 10A.~~
- ~~C. Within the boundary lines of Shenandoah Shores Subdivision as shown on Warren County Tax Map 13C, Sheets 1 and 2.
[Added 6-19-1984]~~
- ~~D. Within the boundary lines of all sections of Shenandoah Farms Subdivision and those adjacent parcels as shown on the following Warren County Tax Maps: 7A; 7A1; 15B; 15C; 15D, Sheets 1 and 2; 15E, Sheets 1-5; 15F; 15G; 23C, Sheets 1-9; and 24C.
[Added 11-19-1985; amended 2-18-1986]~~
- ~~E. Within the boundary lines of all sections of T.B. Boies Subdivision as shown on Warren County Tax Map 19 E.
[Added 1-21-1986]~~

- ~~F. Within the boundary lines of all sections of Shenandoah River Estates and the Bolling Subdivision as shown on Warren County Tax Map 20C.
[Added 6-16-1986]~~
- ~~G. Within the boundary lines of all sections of High Knob Subdivision as shown on Warren County Tax Maps 31B, Sheets 1-3; and 31B1.
[Added 8-18-1986]~~
- ~~H. Within the boundary lines of all sections of Blue Mountain Subdivision as shown on Warren County Tax Maps 15A; 16A; 24A, Sheets 1 and 2; 24B, Sheets 1 and 2; and 24D.
[Added 7-20-1987]~~
- ~~I. Within the boundary lines of all sections of Apple Mountain Lake Subdivision as shown on Warren County Tax Map 22B.
[Added 3-21-1988]~~
- ~~J. Within the boundary lines of all sections of Dungadin Subdivision as shown on Warren County Tax Map 28C.
[Added 3-4-1991]~~
- ~~K. Within the boundary lines of all sections of Point O'Woods Subdivision as shown on Warren County Tax Map 39B.
[Added 6-17-1991]~~
- ~~L. Within the boundary lines of all sections of Blue Ridge Mountain Estates Subdivision as shown on Warren County Tax Map 31A1 and 31A2.
[Added 10-7-1991]~~
- ~~M. Within the boundary lines of all sections of Lake Front Royal Subdivision as shown on Warren County Tax Map 39C.
[Added 1-21-1992]~~
- ~~N. Within the boundary lines of Shannon Woods Subdivision as shown on Warren County Tax Map 22F.
[Added 10-5-1992]~~
- ~~O. Within the boundary lines of Kenny Woods Subdivision as recorded on Warren County Plat Slide 152-B.
[Added 11-1-1993]~~
- ~~P. Within the boundary lines of Apple Mountain Lake South Subdivision as shown on Warren County Tax Map 31C.
[Added 3-21-1995]~~

- ~~Q. Within the boundary lines of Bowling View Subdivision as shown on Warren County Plate Slide 157-M, N, O and P.
[Added 5-7-1996]~~
- ~~R. Within the boundary lines of Section 3 of the Shenandoah Valley Golf Club Subdivision as recorded in Deed Book 224, pages 714-716.
[Added 5-7-1996]~~
- ~~S. Within the boundary lines of the area occupied by the Bowling Green Golf Courses.
[Added 5-7-1996]~~
- ~~T. Within the boundary lines of Thunderbird Farms Subdivision (Haynes Anderson Trust property) as shown on Warren County Tax Map 36-C.
[Added 8-15-2000]~~
- ~~U. Within the boundary lines of Lower Valley Subdivision, including Passage Creek Meadows, as shown on Warren County Tax Map 17-C.
[Added 10-16-2001]~~
- ~~V. Within the boundary lines of Oregon Hollow Estates, as shown on Warren County Tax Map 22-I.
[Added 3-18-2003]~~
- ~~W. Within the boundary lines of Cedarville Heights Subdivision, as shown on Warren County Tax Map 13E, including the Cedarville Heights Sanitary District.
[Added 2-15-2005]~~
- ~~X. Within the boundaries of Henselstone Woods Subdivision, as shown on Warren County Tax Map 19-I.
[Added 8-21-2007]~~
- ~~Y. Within the boundary lines of Pineland Park Subdivision, as shown on Warren County Tax Map 3A.
[Added 10-16-2007]~~
- ~~Z. Within the boundary lines of River Bend Farm Subdivision, as shown on Warren County Tax Map 27L.
[Added 11-21-2017]~~

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

Language proposed to be deleted is lined through.
Language proposed to be added is **underlined**.

Public Hearing – Ordinance to Repeal Section 66-34 (Bounties for coyotes) of the Warren County Code – Caitlin Jordan

Ms. Jordan and Sgt. Gomez reported on May 2, 2000, the Board of Supervisors adopted Section 66-34 of the Warren County Code, which awards a \$50 bounty to any person who kills a coyote according to certain criteria set forth in the ordinance. Currently, the ordinance limits the total amount of bounties awarded within a given fiscal year to \$3,000 maximum, a total of sixty (60) bounties per year. Since 2010, the total amount of coyote bounties awarded each year has surpassed the annual cap. On July 16, 2019, the Board of Supervisors amended Section 66-34(D) to increase the annual cap from \$2,000 to \$3,000 per year to meet increasing coyote bounties.

However, the Warren County Sheriff's Office has requested that the Board of Supervisors repeal Section 66-34 of the Warren County Code. First, many of the individuals claiming bounties for killing coyotes have already been compensated by the land owners, and most of them live outside of Warren County. Second, the Virginia Department of Wildlife Resources (formerly the Department of Game and Inland Fisheries) have issued a letter explaining that coyote bounties are not an effective tool for population control. The letter is attached for your review.

It is the opinion of the Sheriff's Office that Section 66-34, "Bounties for Coyotes" should be repealed due to the increasing cost to the County of Warren and to the little to no impact said bounties have had on the coyote population. Sgt. Gomez also introduced Michael Fies with the Virginia Department of Wildlife Resources to answer any questions the Board members may have regarding this proposed ordinance.

Mrs. Cullers opened the public hearing.

Amos Mitchell, 3637 Mountain Road, said he owns two farms, one where he lives and another on the North Fork of the Shenandoah River. He realizes hunters are not going to kill all the coyotes, but he believes bounties should continue because they are a great incentive for people to hunt coyotes while not being very expensive for the County. He thinks the County and its citizens should work together to lower the coyote population.

There being no further comments from the public, Mrs. Cullers closed the public hearing.

Mr. Fox wondered if increasing the amount of the bounty would help cull the coyote population, and Mr. Fies replied while that could result in more coyotes being killed, he doubted it would change the end result of the overall coyote population in the County. Over 60% of the total population of coyotes would have to be killed each and every year to have a substantial and lasting effect, and there is a universal lack of support for coyote bounties across the nation.

Mrs. Oates asked if there are other methods that could work in tandem with bounties to reduce the coyote population, and Mr. Fies responded it is an unfortunately

futile endeavor. People simply cannot kill enough coyotes quickly enough to have a lasting impact on the overall population. A targeted approach may work at the farm level but not at the landscape level, such as for a locality.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors did not adopt the proposed ordinance to repeal Section 66-34 of the Warren County Code and further requested staff to look into alternative methods to reduce the coyote population in Warren County:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

Public Hearing – Conditional Use Permit 2020-10-01, David and Nita Sudlow for a Church – Matt Wendling

Matt Wendling, Planner II, reported the applicants are requesting a conditional use permit for a church to be used as a chapel for worship services and bible study. They have requested to have a maximum of 49 occupants at any one time in attendance. The applicants currently use the accessory structure as a garage and chapel for family devotional and religious study, and it is 1,728 square feet in size. They plan to make minor renovations to the existing structure in order to use it as a chapel facility, which will include upgrades to the existing septic system and installation of a handicapped accessible restroom.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The Chapel occupancy shall not exceed the number of occupants to be determined by the Virginia Uniform Statewide Building Code and Virginia Department of Health approval for an on-site sewage system.
2. The applicant shall comply with all Warren County Building Inspections, Virginia Department of Transportation (VDOT), and Warren County Health Department regulations and requirements. These include Building Code requirements for a smoke and fire detector system and change of use and occupancy to the authorized use group.
3. The applicants shall meet the requirements for Code Section §180-15 for Off-Street parking for a church which requires one (1) parking space per four (4) fixed seats.

Mrs. Cullers opened the public hearing.

Mr. Mabe questioned why the proposed occupancy changed from the application (58 persons) to the currently proposed number of 49 persons. David Sudlow, applicant, responded 58 persons was an initial figure, but once the Health Department calculated the capacity of the proposed Alternative Onsite Sewage System to be able to handle 49 persons, the proposed occupancy was reduced accordingly. He and his wife do not want to enlarge

the structure but rather meet all the public health and safety requirements with the existing structure and minor renovations.

Mr. Fox asked if parking would be an issue to the point of having to use the grass area as overflow, and Mr. Sudlow said parking should not be an issue. All nineteen (19) spaces will be paved with an asphalt hardtop. Mr. Wendling also noted the property has sufficient room for this paved parking area.

There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Fox, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the conditional use permit request of David and Nita Sudlow for a chapel (Church) with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

1. The Chapel occupancy shall not exceed the number of occupants to be determined by the Virginia Uniform Statewide Building Code and Virginia Department of Health approval for an on-site sewage system.
2. The applicant shall comply with all Warren County Building Inspections, Virginia Department of Transportation (VDOT), and Warren County Health Department regulations and requirements. These include Building Code requirements for a smoke and fire detector system and change of use and occupancy to the authorized use group.
3. The applicants shall meet the requirements for Code Section §180-15 for Off-Street parking for a church which requires one (1) parking space per four (4) fixed seats.

Public Hearing – Conditional Use Permit 2020-10-03, David and Nita Sudlow for a Guesthouse – Matt Wendling

Mr. Wendling reported the applicants are requesting a conditional use permit for a guesthouse. The applicants have renovated a small horse barn as an office and workshop, and they would like to include an additional bedroom in the structure where family and friends could stay during visits. In 2013, the applicants were approved for a building permit #459-2013 for a 2nd floor attic and roof to be installed, and a final inspection was completed according the records of the Building Inspections Department. The structure currently has an outstanding electrical permit and will need a plumbing permit for a bathroom. They had soil work recently done in order to install an upgraded septic system that meets the Virginia Department of Health requirements. They have stated that there will be no commercial renting of the structure.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The guesthouse shall not be used for full-time occupancy.
2. This accessory dwelling shall not be used for commercial rental or leasing of rooms for compensation of any kind.
3. The applicant shall comply with all Warren County Building Inspections and Warren County Health Department regulations and requirements including Building Code requirements for a smoke and fire detector system.
4. The applicant shall have a condition placed on the deed at the time of transfer of the property to a new owner that this is a non-commercial guesthouse and the rental or leasing of the dwelling for monetary compensation is prohibited and that it is limited to part-time occupancy up to six months in a calendar year.

Mrs. Cullers opened the public hearing.

Mr. Fox wanted to be sure the conditions of the permit were required to be met prior to occupation of the guesthouse, and Mr. Wendling confirmed.

Mr. Carter sought confirmation that the applicants would only be using this guesthouse for family members, and if they wanted to turn it into a bed and breakfast or other short-term tourist rental, they would have to come back and request a separate conditional use permit. Mr. Wendling said that was correct.

There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Fox, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the conditional use permit request of David and Nita Sudlow for a Guesthouse with the conditions as recommended by the Planning Commission and staff and listed below:

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

1. The guesthouse shall not be used for full-time occupancy.
2. This accessory dwelling shall not be used for commercial rental or leasing of rooms for compensation of any kind.
3. The applicant shall comply with all Warren County Building Inspections and Warren County Health Department regulations and requirements including Building Code requirements for a smoke and fire detector system.
4. The applicant shall have a condition placed on the deed at the time of transfer of the property to a new owner that this is a non-commercial guesthouse and the rental or leasing of the dwelling for monetary compensation is prohibited and that it is limited to part-time occupancy up to six months in a calendar year.

Public Hearing – Lease of County-Owned Property Located at 229 Stokes Airport Road – Doug Parsons

Doug Parsons, Executive Director of the Economic Development Authority (EDA), reported Silent Falcon UAS wishes to enter into a 10-year lease for \$500 per month for space at the County's maintenance hangar at the Front Royal/Warren County Airport. The company will assemble, test, launch and recover unmanned aerial vehicles (UAVs) from the airport in concert with the other tenants and aircraft at the airport. Along with offsite office space nearby, the company will establish its eastern U.S. Headquarters, R&D and Manufacturing operations here in Warren County. The company projects 249 jobs and over \$6,000,000 in capital investment for this project.

Mr. Parsons noted the only change to the lease would be the start date, and Mr. Ham recommended the proposed motion, should the Board approve the lease, be to approve the proposed lease "with the lease start date to be determined".

Mrs. Cullers opened the public hearing.

Mr. Fox asked if the space at the Airport was large enough for Silent Falcon, considering the number of jobs they are projecting. Mr. Parsons replied it will be enough space as Silent Falcon is only proposing to bring in 40-50 jobs during its first year of operation, with a projected 249 jobs over the course of three years. They are also planning to establish an office space off-site with 20-30 jobs by the end of 2021. Due to the nature of Silent Falcon's business being all over the country servicing various contracts, there will not be a huge throng of people out at the Airport.

There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Fox, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the proposed lease of County-owned property located at 229 Stokes Airport Road, Front Royal to Silent Falcon UAS with the lease start date to be determined:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

Report – COVID-19 (Coronavirus) Expenditures for Warren County – Taryn Logan/Rick Farrall

Taryn Logan, Planning Director, reported the Planning Department has been tasked with the collection and submittal of the County's COVID-19 related expenditures for federal reimbursement. The President declared a National Emergency on March 13, 2020. This authorized for the reimbursement of Category B (emergency protective measures) under the Federal Emergency Management Agency's (FEMA's) Public Assistance grant program and permits the Commonwealth to request direct federal assistance to fill a specific gap or need related to COVID-19 at a 75% federal cost share.

Each Department has been tracking their expenses and providing information to the Department to coordinate and submit to the Virginia Department of Emergency Management (VDEM). The submittal periods are quarterly. Most of the expenses did not start occurring until late February, and Departments are still gathering their related documentation (which must include receipts, credit card statements, check copies, timesheets, pay rates, contracts, etc.). The estimated total through the beginning of January is \$509,868.23 spent towards the COVID-19 pandemic. The only departments/offices with additional expenditures since Ms. Logan's last report were from the General Services Department and the Department of Fire and Rescue Services.

Mr. Mabe asked how much had been submitted to FEMA so far for reimbursement, and Ms. Logan responded approximately \$300,000 has been submitted. There is a lot of back and forth during the submission process, and she is grateful to have a designated FEMA representative for the County who is very accessible.

Rick Farrall, Emergency Coordinator, reported the COVID-19 vaccine distribution is well underway. To-date approximately 2,000 doses have been administered through Valley Health (Warren Memorial Hospital) or the Virginia Department of Health (Warren County Health Department) locally. There are two separate Memorandums of Understanding on the Board's agenda for consideration, one for each entity, and should they be approved, Valley Health and the Virginia Department of Health will need to coordinate with one another to determine when each entity will be using the Gymnasium in order to maximize use of the facility. Both Valley Health and the Warren County Health Department are following distribution requirements as set forth by the Centers for Disease Control and Prevention (CDC) and the Virginia Department of Health. The congregate care facilities in the area are scheduling with Walgreens and CVS for vaccine distribution, and currently Heritage Hall is the only facility in the County not scheduled.

For individuals, approximately 1,200 doses will be administered this week, and there is a static banner on the top of the County's website with links to the webpages for vaccine signup and volunteer signup. Valley Health has also provided a phone number for those without internet access: (540) 536-8000. It is the Winchester Medical Center main line, and those calling should stay on the line for the next available operator.

Reports – Board Members, Interim County Administrator, Interim County Attorney

Mr. Carter reported the following:

- Brandy Rosser, General Services Director, has tendered her resignation, and the County will be losing her fourteen (14) years of institutional knowledge; he wished her well in her new position

Mrs. Oates had nothing to report.

Mr. Fox had nothing to report.

Mr. Mabe had nothing to report.

Mrs. Cullers had nothing to report.

Dr. Daley reported the following:

- Mr. Farrall will be assuming the responsibilities of the General Services Director effective January 29, 2021 on an interim basis. Firefighter Brian Foley will be moving from part-time to full-time and assisting with Mr. Farrall's responsibilities through the Department of Fire and Rescue Services, including cost recovery and Emergency Management. Mike Berry, Public Works Director, will be helping with maintenance activities.
- Coronavirus Update – County staff continue to monitor the situation and take the necessary precautions. The County is still in the Governor's "Phase Three" of Virginia's "Path Forward".

The COVID-19 vaccination process is underway in Warren County. Valley Health, in partnership with the Lord Fairfax Health District and the County are working together to provide the vaccine locally. To date, the County's Healthcare Providers and First Responders were afforded the opportunity to receive the vaccination. Those who are age 75 and older have also begun to receive the vaccine. Correction workers, childcare, and education related staffs will be afforded the opportunity to receive the vaccination in the near future. As more doses of the vaccine become available, they will be distributed in accordance with CDC and the Virginia Department of Health guidance. Please check the County and Valley Health website for current information regarding the availability of the vaccine. Additionally, CVS and Walgreens are providing the vaccine to local congregate living facilities. To date, the majority of these facilities have either begun receiving the vaccination, or are scheduled to receive the vaccine in the coming weeks.

The relative the number of COVID-19 cases in the County continues to increase. This was expected following the recent holiday period. As such, the County continues to urge everyone to remain vigilant.

Regarding the CARES Act, staff received the documentation required from the Town regarding the first and second round fund distribution to Town small businesses and public safety related expenses. The reimbursement to the Town is complete, for receipts received. Staff is in the process of reviewing the Town's receipts received for the Municipal Utility assistance fund. Finally, County staff is in the process of compiling the appropriate documentation and closing out the associated County CARES Act accounts. The County continues to report to the Department of Accounts as directed, and are optimistic to complete an associated external audit by early this Spring.

- Coronavirus Vulnerable Revenue – To compare the impacts of Coronavirus on revenues, the following chart shows figures for March through December 2019 in comparison to March through December 2020.

Year in Comparison (March – December)			
	2019	2020	% Difference
Business License Revenue	\$431,216.18	\$444,207.05	+3.01%
Meals Tax Revenue	\$859,141.79	\$712,234.16	-17.01%
Lodging Tax Revenue	\$200,049.89	\$204,449.75	+2.20%

- Tourism Committee – The Town Council and Board of Supervisors voted in June to outsource tourism services moving forward. Jones Lang Lasalle Americas, Inc. (JLL) has been selected. A Memorandum of Agreement has been approved by the Town and County for the Joint Tourism Committee. A meeting is being scheduled with JLL to move the process forward.
- Wayfinding Signage – The construction intent documents have been completed for the bidding process. County and Town staff are working together to determine what tasks can be completed in house and what items need to go out to bid.
- Development Review Committee – The Development Review Committee did not meet in December 2020. The Committee will meet again on January 27, 2021.
- Building Inspections – In review of the new construction for 2020, there were a total of 191 new home starts through December 31st. Of that number, 40 were located in Town limits and the remaining 151 outside of Town limits. As a comparison, in 2019 there were a total of 150 new home starts.

The growth rate is well below the 2-3% maximum outlined in the Warren County Comprehensive Plan, but is slightly above the 0.88% average experienced since January 1, 2009.

In December, the permits remained level with the number in 2019, with 187 permits issued, and the total number of inspections are up significantly from 797 to 1,052 (32%).

Year in Comparison (January through December)			
	2019	2020	% Difference
Inspections Completed	11,866	12,455	+4.96%
Permits Issued	2,269	2,465	+8.64%
Single Family Dwellings	150	191	+27.3%

- Parks and Recreation – Park staff prepared for major winter snowstorm event on December 14th and 15th. Park Staff previously checked the trucks, plows and other necessary equipment. Park staff placed snow markers in parking lots – Skyline SoccerPlex/Warren County Government Center/Health and Human Services Complex (HHSC)/Warren County Community Center (WCCC)/Economic Development Authority (Kendrick Lane) on December 14th in preparation of winter storm. Park crew worked two shifts on December 16th and two shifts on December 17th. Park crew plowed and salted the Company 10 Fire Department lot, the Public Safety Building, Samuels Public Library, HHSC parking lots, WCCC, Courthouse, Raymond E. Santmyers Youth Center parking lots, and other County facilities. Park crews also salted and cleared the sidewalks and entranceways. General Services

Technicians crew plowed and salted the Government Center parking lots. Park staff night crew was sent home at 12:00 pm; Park staff day crew worked until 7:00 pm. Park crew completed clearing sidewalks/checked all County facilities and cleared parking lots at all County park facilities on December 18th. Mr. Lenz thanked Brad Kresge, Maintenance Supervisor, and the park crew for their hard work in completing the plowing, clearing and clean-up of all County facilities in a timely manner. Their first priority is the safety of all County staff and community citizens.

Administration staff is currently revising the WCCC rules and regulations and COVID-19 NOTICE TO PARKS AND RECREATION FACILITY USERS for Caitlin Jordan, Senior Assistant County Attorney to review in the immediate future.

Park staff completed spreading weed preventer in Mega Playground/Music Park in Rockland Park on December 15th. J.K. Enterprises blew and spread new engineered wood fiber mulch (two loads) on December 15th. J.K. Enterprises completed blowing and spreading the new engineered wood fiber mulch (one final load) on December 29th. Jonathan Clatterbuck, Equipment Operator, and Clark Moats, General Services Technician, completed park/playground inspections on January 8th. Park staff began playground repairs on January 11th.

Recreation Division Activity Winter Wonders – Winter Themed Activity Box – Warren County Parks and Recreation Department has created the “Winter Wonders” winter themed activity box! Each box will include supplies, ingredients and instructions for several winter themed, activities, crafts and sweet treats. The box is free and limited to the first 50 registrants. Limit one (1) per household and registrant must be under the age of 13 years old. For more information, contact the Warren County Community Center by phone at (540) 635-1021 or via email at wcccinfo@warrencountyva.net. Registrations will be accepted till December 26, 2020 by visiting parksandrecreation.warrencountyva.net. Pick up information will be available after registration has ended. Contactless curbside pickup will be available. More information can be obtained by contacting the Warren County Community Center, Monday through Friday, 8:00 AM – 5:00 PM, evening and weekend hours may vary, at (540) 635-1021 or via email at wcccinfo@warrencountyva.net. This program is eligible for online registration; visit us on the web at parksandrecreation.warrencountyva.net. Please visit us on the web at www.warrencountyva.net/parks-and-rec. Like us on Facebook at Warren County Parks and Recreation.

- Public Works – There were 2917.45 tons of solid waste disposed of at the convenience sites in the County during the month of December, which reflects an increase of 43 tons from December 2019.
- Department of Social Services – This past holiday season, 26 families/groups worked with DSS to provide Christmas gifts to 64 children in Warren County. Since November 2020, 5 children have had their adoptions finalized with their “forever families”. In the month of December, DSS received:
 - 117 SNAP Applications
 - 106 Medicaid Applications

- 17 TANF Applications
- 8 Child Care Applications
- 7 Crisis Applications

The Thermal Shelter currently has 22 people staying at the shelter, 3 of whom are women. The shelter has hosted 2 veterans and 16 which are considered “chronically homeless”. A pressing need continues to be shower facilities due to the elderly patrons and incontinence issues.

- Department of Fire and Rescue Services – Staff is working on annual Ladder Truck testing, pump tests on engines, ground ladder testing, hose testing on all apparatus in Department over a period of October 26 through November 5th. Additionally, regarding FEMA grant for breathing apparatus, SCBAs have been ordered, delivered and were inventoried and marked. After marking, the SCBAs were exchanged with all stations/apparatus. All Department firefighters fit tested for new masks. All new SCBAs are now in service in all stations.
- Department of Fire and Rescue Services Promotional Process Results – Status of ongoing grants: SAFER Grant complete except for ongoing documentation for reimbursement from FEMA; Assistance to Firefighters Grant complete, SCBA purchased, training held, fit testing held and SCBA exchanges on all apparatus; Ballistics Grant/OEMS ballistic protection for responders, especially involved in shooting situations – Received notification the grant request was not awarded; OEMS Ambulance Grant was also not awarded.
 - Staff working to sell 64 SCBA Cylinders to support Countywide SCBA Program.
 - Rivermont Fire Station inspections with volunteers and Brandy Rosser. “Punch out” items still being addressed with Brandy. All furniture has been delivered.
 - Radio Communications committee meeting and changes to Board
 - 14 staff treated/isolated for COVID-19 to date, released to return to work; two currently on positive isolation. (as of 1/11/2021)
 - Staff beginning to work with Chiefs Advisory Staff to evaluate FY-2020 AFG Grant and Departmental Needs
 - Staff continues to work with VDH to schedule COVID-19 Vaccine and implement throughout response system
- Rivermont Fire Station – The project is nearing completion. A Ribbon Cutting will be scheduled for December. A spring Open House is also being discussed that would include activities with the Airport.
- Commercial/Industrial Projects – Work continues on the following projects:
 - The new Warren Memorial Hospital is nearing the final phases to start final inspections, anticipating a phased opening schedule.
 - Chipotle is now open.
 - Five Guys is now open.
 - Equus Warehouse facility – Continues to work with DEQ and the County on resubmissions.

Appropriations and Transfers

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the additional appropriations and transfers as presented and shown below for January 2021:

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

APPROPRIATIONS

71030-5101	Parks & Recreation Maintenance - Electric	444.64
92000-7112	Capital Outlay – Health and Human Services Complex	125.00
71030-5407	Parks & Recreation Maintenance - Repairs & Maintenance	15.00

Approval of Accounts

On a motion by Mr. Carter, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the lists of December 2020 and January 2021 accounts:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

Check Numbers 294815 to 295088

Total: \$2,166,195.91

Approval of Minutes

On a motion by Mr. Carter, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the minutes of its regular meeting of January 5, 2021:

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

Unfinished Business – Strategic Visioning Action Plans – Brandy Rosser/Rick Farrall/Ed Daley

Dr. Daley reported the proposed Strategic Plan provides overall direction to staff and, if approved, sets the groundwork for a more detailed plan to be presented to the Board in late February/March. The Strategic Plan is a guideline for the direction of the Board and goes hand-in-hand with the goals and projects list adopted annually.

Mr. Carter reiterated his main concern of waiting until spring 2022 to hire a full-time County Administrator. It could take several rounds of interviews to find a viable candidate, and he wonders why the Board is not going ahead and trying to find someone. He said there are only a certain number of hours for which Dr. Daley can be compensated

according to the Virginia Retirement System due to being retired and only working part-time. He suggested hiring a firm to seek out candidates who will be a good fit for the County as a firm would be able to cast a wider net than the County alone.

Mrs. Oates advocated for keeping Dr. Daley in the Interim County Administrator position for the time being. His institutional knowledge of the Economic Development Authority embezzlement is invaluable in the prosecution of the civil case. She also noted Dr. Daley does not work for the money and often puts in far more hours than he is compensated for; in her observation, he works for the satisfaction of working and doing a good job. She thinks bringing a new County Administrator into the middle of an ongoing complicated civil litigation would be foolish, and keeping Dr. Daley in this role is the smartest thing the Board can do. Hopefully in 2022, the Board can bring in someone fresh who will not have this litigation hanging over his/her head.

Mr. Carter then brought up the closed session negotiations of Dr. Daley's hourly wage, after which there was a brief heated exchange between Mr. Carter and Mrs. Oates before Mrs. Cullers brought the discussion back to order.

Mr. Carter questioned the number of and titles for various proposed key leader positions, such as Assistant County Attorney, General Services Grant Writer, Information Technology (IT) Director, and Assistant or Deputy Department Heads as required. The Board of Supervisors is not an administrative board; it only has two employees – the County Administrator and the County Attorney. He voiced his objection to Board members getting so in the weeds about hiring additional personnel as it usurps the authority of the County Administrator.

Mr. Carter was unsure about the hiring of another Assistant County Attorney in the County Attorney's office if the Board plans to continue contracting the services of Litten & Sipe, though he said he could not argue with wanting to reduce legal fees. He was also unsure about which technologies in the County had been deemed inadequate.

Mrs. Cullers stated Mr. Carter had an opportunity to be part of the advance where this Strategic Plan was developed, but he could not stay the first day and did not attend the second day. There were staff present at the advance, and staff was instrumental in building the action items enumerated in the proposed Strategic Plan. This was not something that came solely from the Board; it was crafted in cooperation with staff. Mr. Carter responded emphatically that not all staff and not all Constitutional Officers were able to attend the advance, and the reason he did not attend is because he did not want to "spend eight hours with you people", meaning the other Board members.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted the Warren County Board of Supervisors Strategic Plan for 2021-2023 as presented:

Mabe, Aye; Fox, No; Cullers, Aye; Oates, Aye; Carter, No

Consent Agenda

1. Approval of Corrected Transition Line Easement between the County of Warren and the Trans-Allegheny Interstate Line Company – Caitlin Jordan
2. Request for the Sale of Sixty-Four (64) Self-Contained Breathing Apparatus Cylinders to Clarke County, Virginia – Chief James Bonzano
3. Amendment to Architectural and Engineering Services Contract with Moseley Architects – Caitlin Jordan
4. Amendment to Architectural Services Contract with Frazier Associates – Caitlin Jordan
5. Amendment to Architectural Services Contract with Frederick Andreae Architects – Caitlin Jordan
6. Amendment to Architectural Services Contract with Land Planning & Design Associates (LPDA) – Caitlin Jordan
7. Amendment to Financial Advisory Services Contract with Davenport & Company, LLC – Caitlin Jordan
8. Removed for further discussion
9. Authorization to Advertise – Joint Planning Commission and Board of Supervisors Public Hearing for a Rezoning Request of Dudding Commercial Development, LLC (R2020-10-01) from Agricultural (A) to Commercial (C) – Taryn Logan
- ~~10. Authorization to Advertise for Public Hearing – Sale of County-Owned Property Located at the Corner of Route 340/522 and Reliance Road – Doug Parsons~~
11. Coyote Bounties – Douglas Boyd (2) – Animal Control (\$50.00 Each)

Dr. Daley requested the removal of item 10 from the agenda due to the need for additional input from other parties involved in the sale of this property, namely the Town of Front Royal.

Mr. Carter requested the removal of item 8 for further discussion.

On a motion by Mrs. Oates, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the Consent Agenda as presented with the removal of item 8 for further discussion and the removal of item 10 from the agenda:

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

Authorization to Advertise for Public Hearing – Ordinance to Amend and Re-Ordain Section 56-3 of the Warren County Code re: Address by Nonmembers – Jason Ham

Mr. Carter said he appreciated Mr. Ham's crafting of the proposed amendments, but they were not exactly what he had in mind. Mr. Ham's amendments included the specific time constraints in the recently adopted 2021 Meeting Policy and Procedures document, and Mr. Carter would prefer the Code Section to not be so concise. He would rather see the Code Section more generalized with language about the parameters of the public comment period being contingent upon the Board's adopted Meeting Policy and Procedures.

Mrs. Oates stated she does not want to see this Code Section repealed and would like to have it stay as a protection of public comment. Mr. Carter agreed and wanted to make sure the public will always have a chance to speak but also wanted to make sure future Boards are able to decide the limitations and parameters on receiving public comment, if any, through the annual adoption of the Meeting Policy and Procedures.

On a motion by Mrs. Oates, seconded by Mr. Fox, and by the following vote, the Board of Supervisors postponed this item to a work session, date to be determined, for further discussion:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

Request – Authorization to Submit Application to the 2020 Assistance to Firefighters Grant Program – Chief James Bonzano

James Bonzano, Chief of Fire and Rescue Services, reported on February 12, 2021, the Warren County Department of Fire and Rescue Services is planning on submitting an application to FEMA's Assistance to Firefighters Grant (AFG) program. The primary goal of the AFG program is to meet the firefighting and emergency response needs of fire departments and non-affiliated emergency medical service organizations. Since 2001, AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training and other resources necessary for protecting the public and emergency personnel from fire and related hazards.

The Department is planning to apply for funding for seventy (70) sets of personal protective equipment (PPE) in a regional grant application by partnering with its Volunteer Fire and Rescue Departments. This grant opportunity will provide the ability for the Department to ensure all PPE worn by volunteer firefighters meet all requirements of the National Fire Protection Association (NFPA) to ensure the health and safety of the responders. AFG considers a PPE set to consist of the following: coat, pants, suspenders, boots, helmet, and two pairs each of gloves and hoods.

This process was discussed by the Warren County Chiefs Advisory Committee, which voted unanimously to support this grant application and funding request and to seek approval by the Board of Supervisors to apply for the grant. If awarded, the Department will seek Board approval to accept the grant award from AFG.

AFG is a 90% federal funding grant with a 10% local match. Current estimates are the County would be responsible for an estimated \$23,458.89. Any matching funds necessary would come from the Department's Fire Programs/Special Projects Fund and not require any new allocations from the Board of Supervisors.

Mr. Mabe asked how many units within the Department are currently out of compliance, and Chief Bonzano replied he did not have an exact number, though a large percentage is out of date. Some of the units date back to 1989 and 1990 and are far out of compliance.

Mrs. Oates wanted to confirm no there were no additional monies the Board needed to appropriate at this time, and Chief Bonzano said that was correct. The matching funds would come out of the Department's Fire Programs fund.

On a motion by Mr. Carter, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors authorized the Warren County Department of Fire and Rescue Services to submit, on behalf of the County of Warren and its Volunteer Fire and Rescue stations, an application to the Federal Emergency Management Agency's (FEMA's) 2020 Assistance to Firefighters Grant program seeking funding for seventy (70) sets of personal protective equipment:

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

Request – Memorandum of Understanding between the Lord Fairfax Health District and the County of Warren Regarding the Use of County Facilities for the Purpose of Dispensing Medical Countermeasures to Residents, including Mass Vaccination Efforts – Caitlin Jordan

Ms. Jordan reported on January 5, 2021, the Board of Supervisors approved a proposed agreement between Lord Fairfax Health District (LFHD) and the County regarding the LFHD's use of the Health and Human Services Complex gymnasium for the purpose of administering COVID-19 vaccinations to residents.

After the January 5th meeting, the County Attorney's Office received a Memorandum of Understanding (MOU) from Leigh Ann Sweeney, District Administrator for the LFHD. Ms. Sweeney asked that the County sign the MOU instead of the approved Agreement. The proposed MOU sets forth the LFHD's and the County's responsibilities and provides that LFHD is covered by liability insurance.

The term of the MOU is for three years. The MOU may be terminated at any time by either party by giving the other party a 30 day advance written notice. The County will continue to be solely responsible for the utilities of the facilities used for the administration of the COVID-19 vaccine.

On a motion by Mr. Carter, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors authorized the County Administrator to execute the Memorandum of Understanding between the Lord Fairfax Health District and the County of Warren for the purpose of cooperation and coordination in dispensing medical countermeasures to residents, including mass vaccination efforts:

Mabe, Aye; Fox, Aye; Cullers, Aye; Oates, Aye; Carter, Aye

Request – Memorandum of Understanding with Warren Memorial Hospital Regarding the Use of County Facilities for the Purpose of Administering Vaccinations for SARS-CoV-2 (Coronavirus) – Caitlin Jordan

Ms. Jordan reported Warren County, through the office of the Emergency Coordinator, has been working with the Lord Fairfax Health District and Warren Memorial Hospital (WMH) to organize and coordinate plans to providing COVID-19 vaccinations to residents. On January 14, 2021, Emergency Coordinator Rick Farrall received a Memorandum of Understanding (MOU) from Benjamin Dolewski regarding WMH's use of designated County facilities for the purpose of administering vaccinations to the community. The County Attorney's Office has reviewed and revised the proposed MOU, and WMH's responsibilities include the following:

- Advise County of Warren officials as soon as possible in the event that County facilities are required for mass vaccination/prophylaxis clinic.
- Coordinate with the Lord Fairfax Health District to determine which designated county facilities are available for dispensing vaccinations to the community. In the event WMH wishes to use a county facility that LFHD is using, WMH shall work with the Warren County Emergency Coordinator to determine what County facility is available for the administration of vaccinations.
- Work with County of Warren building maintenance officials to ensure the proper care of the facilities being used and shall maintain proper supervision of facilities during the administration of vaccinations.
- Ensure that all necessary medical materials required for establishing and offering a vaccination clinic at the designated facilities are provided and MWH shall be responsible for the disposal of all medical waste.
- Document and train the staff and volunteers involved in providing aid in the vaccination clinic.
- Responsible for operational management of the mass vaccination clinic at the designated facilities.
- Provide County of Warren with 24-hour contact information for the assigned WMH clinic site manager and Director.

The County is responsible for the following:

- Ensuring that the space provided is free of all hazards and operational and available in the event of need for a mass vaccination clinic at the designated facilities.
- Providing WMH access to the designated facilities to perform mass vaccination/prophylaxis activities at a mutually agreed upon time and date.
- Providing WMH with 24-hour contact information for the facility officials and any changes to contact information in a timely manner.
- Providing WMH with any changes to the agreed upon designated facility location in a timely manner.
- Covering the utility costs (HVAC, water, electricity, phone, fuel, non-medical waste disposal, etc.) incurred during the use of the designated facilities for mass vaccination/prophylaxis.

WMH is required to procure and maintain Medical Malpractice and General Liability Insurance that covers WMH, its employees, and its agents. The Medical Malpractice insurance policy limits shall not be less than \$2,000,000.00 and the General Liability Insurance policy limits shall not be less than \$2,000,000.00.

The term of the MOU is for five (5) months, namely from January 19, 2021 to June 19, 2020. The term will automatically renew each subsequent month unless a party provides the other party a thirty (30) day written notice. The MOU may be terminated at any time by either party by giving the other party a 30 day advance written notice. The County will continue to be solely responsible for the utilities of the facilities used for the administration of the COVID-19 vaccine.

Mrs. Oates asked if this MOU would need to come back before the Board if there are changes, and Ms. Jordan said it would if there are substantive changes. Mr. Ham recommended an addition to the proposed motion in the event there are changes in the future.

On a motion by Mr. Carter, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors authorized the County Administrator to execute the Memorandum of Understanding between Warren Memorial Hospital and the County of Warren for the purpose of administering the COVID vaccine to the community with such changes as may be authorized by the County Administrator in consultation with the Chairman of the Board of Supervisors:

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

Request – 2021 Board of Supervisors Board/Committee Assignments – Ed Daley

Dr. Daley reported the proposed 2021 Board/Committee Assignments list contains the same representatives as the 2020 list and adds one representative and one alternate who need to be appointed to the newly renamed Front Royal-Warren County Joint Tourism Committee.

Mrs. Cullers noted that instead of herself, Mr. Mabe would now be assigned to the Northern Shenandoah Valley Regional Commission, the RSW Regional Jail Committee, and the Warren County Well and Septic Appeals Board. Additionally, instead of all Board members being on the Personnel Committee and the Sanitation Authority, there would now be two representatives: the Chair and rotating Board members.

Mr. Mabe questioned the future need for the Front Royal Golf Club Advisory Committee since the Golf Club has moved into private ownership instead of being County maintained. Mr. Carter, as Board representative on this committee, believes it should be kept as the liaison between the Golf Club and the Board during the transition period of VA Golf, LLC taking over operations of the golf course.

Mr. Carter asked why the Personnel Committee and the Sanitation Authority were changing to only two Board members these committees had always had all Board members on them, and Mrs. Oates said this had been discussed in closed session prior to when he arrived late. Mr. Ham stated it was against the Virginia Freedom of Information Act (FOIA) to have a majority of members on a committee; it would be unclear whether the Board is meeting as the Personnel Committee or as the Board of Supervisors. The FOIA Council has opined that it would be improper to conduct business in that way.

There was additional discussion by the Board before it was ultimately decided to remove the Personnel Committee and Sanitation Authority from the list of assignments for further discussion at a future work session.

On a motion by Mrs. Cullers, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the Board/Committee assignments for 2021 as amended and shown below (with the removal of 13 and 14):

Carter, Aye; Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

1. Agricultural District Advisory Committee (Cheryl Cullers)
2. Airport Commission (Archie Fox)
3. Building Committee (Archie Fox and Cheryl Cullers)
4. Community Policy & Management Team (Cheryl Cullers)
5. Emergency Management Director (Chair of the Board)
6. Front Royal Golf Club Advisory Committee (Tony Carter)
7. Northern Shenandoah Valley Regional Commission (Walter Mabe and Delores Oates with Taryn Logan as alternate)
8. Parks & Recreation Commission (Tony Carter)

9. People, Inc. Board (Tony Carter)
10. RSW Regional Jail Committee (Delores Oates with Walter Mabe as Alternate)
11. Samuels Public Library Board (Delores Oates)
12. Town/County Liaison Committee (Chair/Board Members Rotate)

15. Warren County Solid Waste Advisory Committee (Cheryl Cullers)
16. Warren County Well & Septic Appeals Board (Tony Carter with Walter Mabe as Alternate)
17. Winchester Regional Airport Authority (Archie Fox)
18. Fire and Rescue Chiefs Advisory Committee Representative (Cheryl Cullers)
19. Front Royal/Warren County Joint Tourism Committee (Delores Oates with Walter Mabe as Alternate)
20. Warren County Broadband Committee (Cheryl Cullers and Walter Mabe)
21. Drug Prevention Committee (Delores Oates)
22. Railroad Taskforce (Delores Oates)

Adjournment

Mrs. Cullers adjourned the meeting at 10:53 PM.