



AGENDA

Board of Supervisors Meeting

June 1, 2021

9:00 AM

Moment of Silence

- A. Call to Order and Pledge of Allegiance of the United States of America
- B. Adoption of Agenda – Additions or Deletions
- C. Presentation – People, Inc. Annual Report – Robert Goldsmith
- D. Presentation – Introduction of New CEO for Rappahannock Electric Cooperative – John Hewa
- E. Presentation – Spotted Lantern Fly in Warren County – Corey Childs/Mark Sutphin
- F. Public Comment Period (60 Minute Time Limit)
- G. Report – Virginia Department of Transportation – Ed Carter
- H. Report – Economic Development Authority – Doug Parsons
- I. Report – Department of Social Services – Jon Martz
- J. Report – Coronavirus Aid, Relief, and Economic Security (CARES) Act Update – Rick Farrall
- K. Reports – Board Members, County Administrator, Interim County Attorney
- L. Appropriations and Transfers

UNFINISHED BUSINESS

- M. Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and Town of Front Royal (Municipal Utility Relief Program) – Rick Farrall/Caitlin Jordan

NEW BUSINESS

- N. Consent Agenda
 - 1. Appointment of Kaylee Richardson to the Warren County Planning Commission – Ed Daley
 - 2. Approval of Job Descriptions and Classifications for Information Technology (IT) Positions – Taryn Logan
 - 3. Annual Term Contract Renewal with General Excavation, Inc. – Caitlin Jordan
 - 4. Adoption of a Resolution Honoring the Memory of the Namesake of Warren County, Major General Dr. Joseph Warren – Matt Wendling

5. Request – Acceptance of Federal Aviation Administration (FAA) Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant (No Local Match Required) – Caitlin Jordan
 6. Festival Permit Request of the Warren County Fair Association – Joe Petty
 7. Authorization to Advertise for Public Hearing – Virginia Department of Transportation Secondary Six-Year Plan for FY 2022-2027 and 2022 Construction Budget – Mike Berry/Ed Carter
 8. Authorization to Advertise for Public Hearing – R2021-04-01, Salvador and Josette Barragan to Amend the Warren County Zoning Map and Rezone approximately 1.77 acres from Residential-One (R-1) to Agricultural (A) – Joe Petty
 9. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-04-01, Ryan and Kelsey Speers for a Guesthouse – Matt Wendling
 10. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-04-02, David Khol for a Short-Term Tourist Rental – Joe Petty
 11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-04-04, Melissa and Jonathan Greene for a Guesthouse – Matt Wendling
- O. Request to Adopt a Resolution Approving the Updated Support Agreement between the Warren County Board of Supervisors and the Front Royal-Warren County Economic Development Authority Relating to a Forbearance Agreement with First Bank of Strasburg – Jason Ham/Ed Daley
- P. Closed Session – Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for Personnel re: Community Policy and Management Team (CPMT) and the Front Royal-Warren County Airport Commission
- Q. Additional New Business (If needed)
- R. Adjournment

- - -

WORK SESSION

- A. Discussion – Executive Order 79 and COVID-19 Regulations Update – Rick Farrall
- B. Adjournment

We are REC

Caring – Respect – Integrity – Service

Meeting the Needs of a Growing and Diverse Membership

John D. Hewa

President & CEO

Rappahannock Electric Cooperative

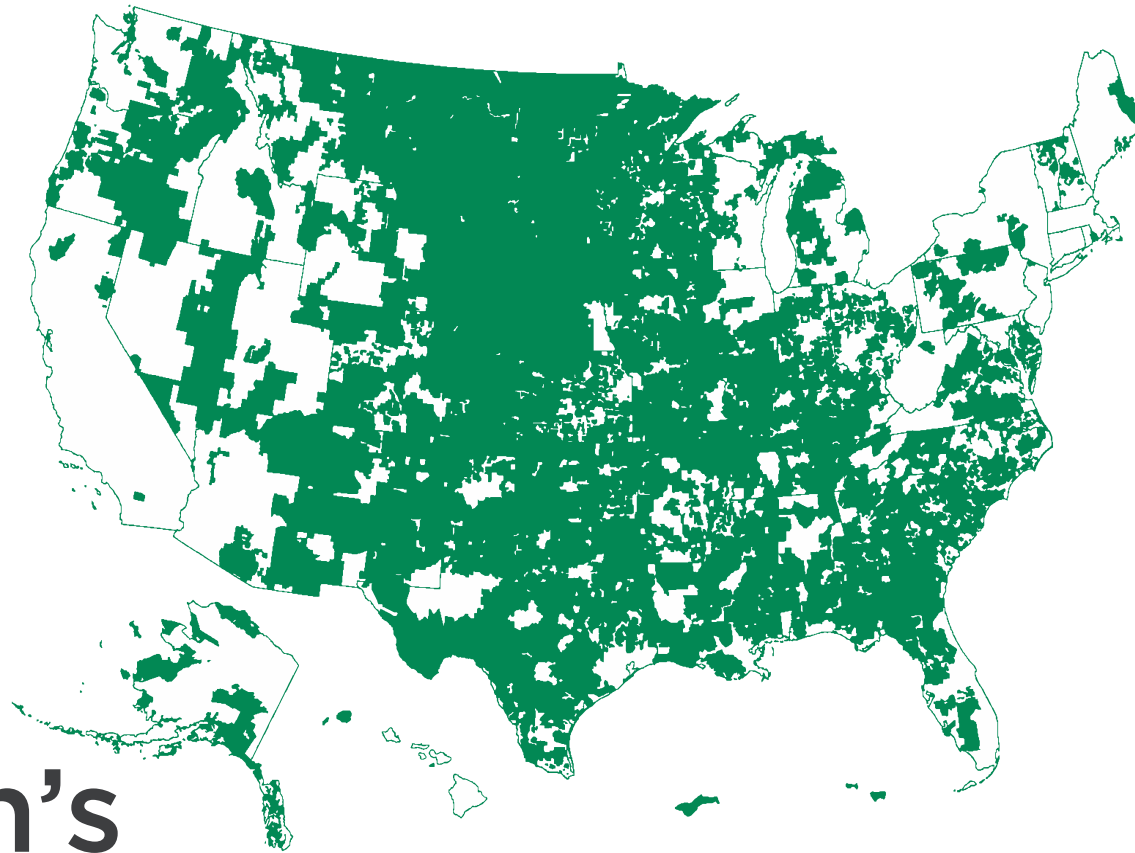
June 2021



833 distribution
and 62 generation
& transmission
cooperatives

Power
56%
of the nation's
landmass.

Own **\$183
billion** in assets



Sell **13%** of
all U.S. electricity

Power more than
19 million
businesses, homes, schools &
farms

Own and maintain
42%
(2.6 million miles)
of U.S. electric
distribution lines.

Serve **88%**
of U.S. counties

Generate **5%**
of total U.S. electricity



REC QUICK FACTS

22 Counties

4,000 sq. mi. Territory

170,000 Services

17,000 Miles of Line

10 Accounts per Mile

\$460M Revenue

430 Employees

REC & WARREN COUNTY

11,629 Meters

953 Total Line Miles

Axalta Coating Systems LLC

Baugh Northeast Co-op

Toray Plastics America Inc.

Conservation & Research Center

PE Hydro Generation





STRONG TEAM

Pre-COVID photo



Rappahannock Electric Cooperative
A Touchstone Energy® Cooperative



Caring Service

Electricity is an Essential Service

Working to Assist Member-Owners

CARING & COMMUNITY IMPACT

- 27,000+ enrolled in The Power of Change
- Awarded donations, sponsorships and community grants
- Scholarships & Youth Tour



Pre-COVID photo



GOOD GOVERNANCE

www.myrec.coop

LOCAL CONTACTS



Christopher G. Shipe
Chairman
REC Board of Directors
Region II



John D. Hewa
President and CEO
jhewa@myrec.coop



Whitney Watts
Assistant Secretary to the
Board/Executive Assistant
wwatts@myrec.coop



Shawn McDonough
Managing Director –
Regional Operations
smcdonough@myrec.coop



Jeff Hinson
Director, Member Services &
Community Relations
jhinson@myrec.coop



Casey Hollins
Managing-Director –
Communications
& Public Relations
chollins@myrec.coop



Felicia Ainsa
Director of
Economic Development
fainsa@myrec.coop

RELIABILITY AND RESPONSIVENESS



Major Work-Plan Projects Over the Last 10 Years*

- Completing land acquisition for future construction of one substation and one Distribution Stepdown Point (DSP)
- Recently rebuilt 10 miles of distribution lines southwest of the Town of Front Royal to address the capacity and reliability concerns
- Completed and/or scheduling the rebuilding of more than 13 miles of distribution line in the Linden area to increase capacity and reliability
- Continue to build and rebuild our distribution circuits as needed in order to provide a reliable and efficient electrical system

*Since the REC acquisition of the Allegheny Power Territory 10

RESPONSIVENESS

Local Office, Operations and Area Servicemen

Decreased outage times



COMMUNITY COMFORT

Supporting Quality of Life and Well-Being

Electricity Plays a Role in Nearly Everything we Do





HIGH-DENSITY GROWTH

Experiencing a New Wave of Development

Working Closely with Developers to Meet Goals

LOOKING OUT FOR VIRGINIA

Supporting Agriculture

REC works Closely with Land Owners



A photograph of an apple orchard. In the foreground, a wooden basket filled with ripe red apples sits on a patch of green grass. Above the basket, a branch of an apple tree hangs down, also laden with red apples. The background shows more trees and a bright, sunny day.

POWERING AGRI-TOURISM

Sustainable Operations

Supporting Tourism and Commerce

SUSTAINABLE PRACTICES

Shenandoah National Park

Sustainable Operations to Protect Natural Beauty



REC'S COVID-19 RESPONSE

Adaptive Operations

Flexible Payment Arrangements

Capital Credits Retirements

2021 Rate Reduction

\$4.8M CARES Dollars Awarded





INDUSTRY TRENDS

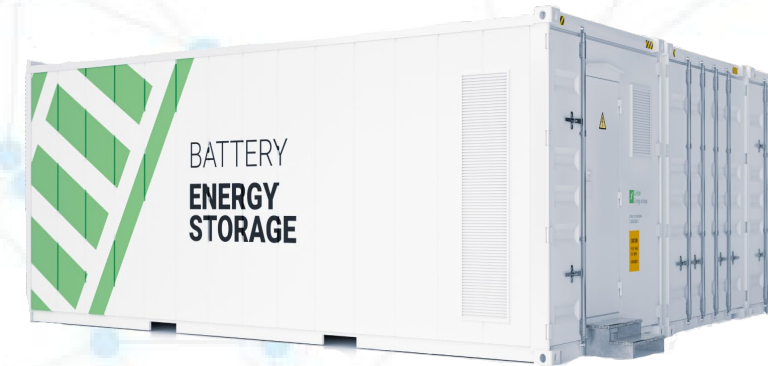
Distributed Energy



EV Charging



Energy Storage

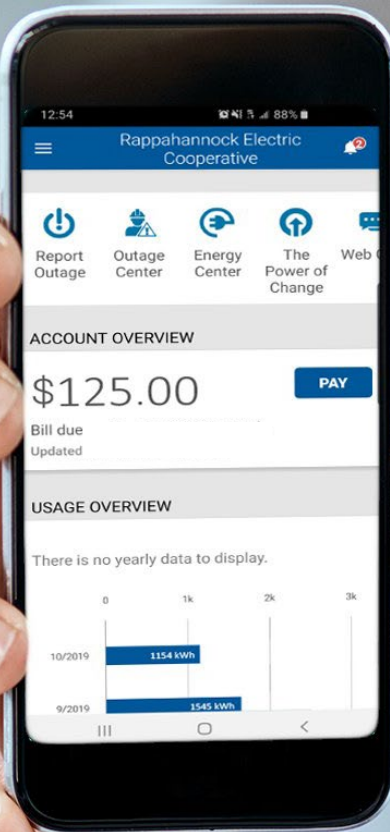


BRIDGING THE DIGITAL DIVIDE

- **820 Mile Fiber Utility Network - Underway**
 - Board approved, **\$30 million investment**
 - Grid modernization, disaster recovery, cyber & physical security, and data analytics
- **Louisa & Goochland County-wide Broadband Partnerships**
 - **REC:** Conducts system make-ready and owns fiber network
 - **Dominion:** Lease middle-mile fiber to Firefly
 - **Firefly Fiber Broadband:** Constructs network and is Internet Service Provider
- **Other Partnership Opportunities**
 - Pole & Tower Attachments
 - Middle-mile Fiber Leasing
 - Joint Funding Opportunities



REC REMINDERS



MyREC SmartHub



Go Paperless
and sign up for AutoPay

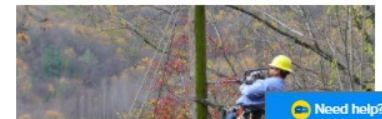
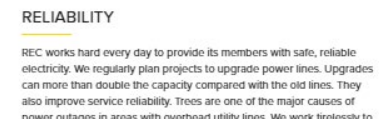
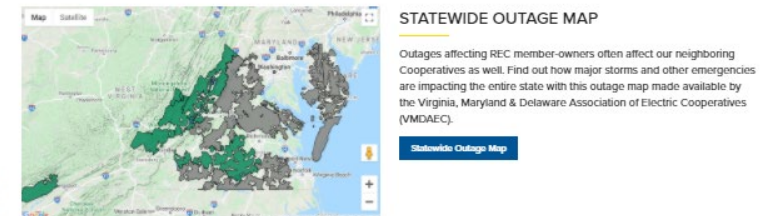
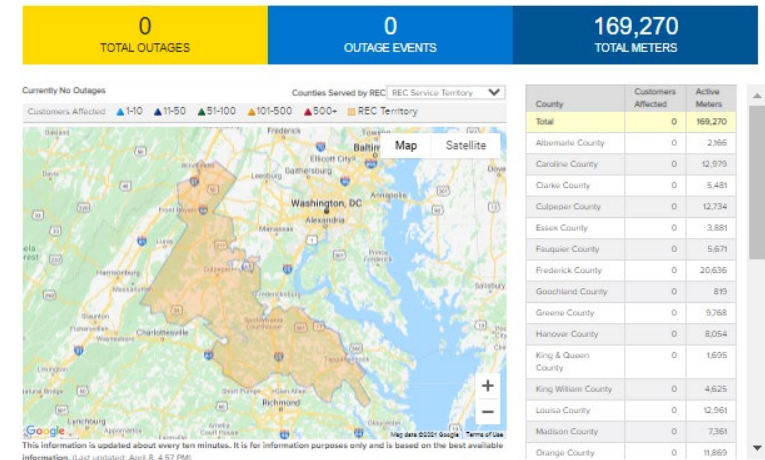


Track Energy Use

Outage Text Alerts



Myrec.coop Outage Center



Member Satisfaction Results

J.D. Power

2020 Residential Satisfaction

17th

in the U.S.
Top Quartile Performance

ACSI

American Customer Satisfaction Index

84

Top Quartile Performance



REC CAREERS



"Having the unique opportunity to say I not only work for REC but I also have an extended family that I work alongside, which truly cares about one another, its members and the communities we serve."

**-Tabitha Perryman
Member Service
Representative**



Dee Jackson, REC Recruiter
myrec.coop/careers



**INVESTED
\$70 MILLION**

to replace poles and wires,
add substations and other infrastructure
TO HANDLE GROWTH AND RELIABILITY



**RANKED 17TH IN OVERALL
SATISFACTION**

OUT OF 143 UTILITIES IN THE J.D. POWER STUDY

Power cost rate decrease resulted in

\$11 MILLION

IN SAVINGS



for members

One of the first electric cooperatives
nationwide to ADOPT

DIVERSITY, EQUITY & INCLUSION RESOLUTION

Built **INNOVATIVE BATTERY STORAGE**

facility providing

**BACK-UP POWER
TO 1,000 HOMES**

and businesses for up to 8 hours, and to
help **REDUCE** wholesale power costs

#WEAREREC



BOARD APPROVED

\$13 MILLION
**IN CAPITAL CREDITS RETURNED
TO MEMBER-OWNERS**

CONNECTED 2,915 NEW HOMES AND BUSINESSES

Managed retirements
by onboarding
27 NEW EMPLOYEES



Enrolled 3,796 members
in paperless billing,
resulting in a
**SAVINGS OF
MORE THAN \$14,000**

Supported
295 MEMBERS in
connecting solar
installations in 2020



Supported nearly
800 SUBSCRIBERS in
Cooperative Sunshare
solar program

**ALLOCATED
\$4.6 MILLION**
in CARES ACT dollars
to members



Signed up nearly
10,000 MEMBERS
for MyREC SmartHub

Thanks to

**27,000+ MEMBERS
OVER \$150,000**

was distributed back into
communities through
THE POWER OF CHANGE



\$35,000

IN EDUCATION
SCHOLARSHIPS



awarded to 27 students

**LAUNCHED
BRAND
NEW
MEMBER
WEBSITE**

RECORD-BREAKING

20,000+

member-owners participated
in the 2020 Director Elections



Implemented new aerial technology
and cutting-edge imaging to

IMPROVE RELIABILITY

**EMPLOYEES
DONATED
\$100,000+**
to the United Way
and other non-profits

Continued to build out
FIBER BACKBONE
to improve reliability
and allow for
broadband partnerships



800-552-3904 | WWW.MYREC.COOP



Pest Alert: Spotted Lanternfly, *Lycorma delicatula*

The spotted lanternfly (SLF) was detected in Virginia in January 2018. It is an invasive planthopper that was discovered in Pennsylvania in 2014. In Pennsylvania and its native range, SLF is a pest of grapes, peaches, hops, and apples. It is commonly associated with tree-of-heaven, *Ailanthus altissima*. It has the potential to be a serious pest of agriculture and home gardens in Virginia.



Clockwise from top left: Adult showing hind wings; adult with folded wings; early black and white nymphs; full grown nymphs showing red; and egg masses.

Identification: The early nymphs are wingless, black, and have white spots on the body and legs. The later stage nymph develops red patches over the body while retaining the white-spot pattern.

Adult SLF are approximately 1" long and ½" wide. The legs and head are black, while the abdomen is yellow with broad, black bands on top and bottom. Its front wings are light-brown/grey with black spots and dashed black lines at the tip. The hind wings have scarlet red and black sections that are separated by a white stripe. At rest, the SLF shows light-brown, grayish wings with black spots held "tent-like" over its body. Adult females are distinguished by the presence of a red spot on the end of the abdomen.

SLF egg masses contain 30-50 eggs, are 1-1.5" long and ½-¾" wide, grayish-brown in color, and covered with a grey, waxy coating (newly laid egg masses are somewhat shiny). Old egg masses appear as rows of 30-50 brownish seed-like deposits in 4-7 columns, measuring roughly 1" long.

Hosts: Although SLF is most commonly found on *Ailanthus*, (tree-of-heaven), it can be found on over 70 other species of trees and is a pest of grapes, hops, peaches, and other tree fruits.

Signs and symptoms: Since the SLF produces sugary secretions called honeydew, look for the black sooty mold that grows on the honeydew. The sooty mold will cover branches, trunks, and man-made objects under the tree. In addition, some of the honeydew will ferment leaving a vinegar smell. The black sooty mold makes it appear like a fire has scorched the area.

Submitting a sample:

Specimen should be dead and placed in isopropyl or rubbing alcohol.

Please provide the following information, so we can track the spread:

Name _____ County or City _____

Street Address _____

Date Collected _____ Plant/Host Habitat _____

Comments or special instructions _____

Submit the sample to your nearest local Cooperative Extension Office: <https://ext.vt.edu/offices.html>

Or submit a picture electronically: <https://ask.extension.org/groups/1981/ask>

For information on Spotted Lanternfly, see: ext.vt.edu/spotted-lanternfly

Prepared by: Eric Day, Theresa Dellinger, Doug Pfeiffer, Mark Sutphin and Chris Bergh. Virginia Tech Entomology



Spotted Lanternfly

Lycorma delicatula (White) (Hemiptera: Fulgoridae)

By: Douglas G. Pfeiffer, Eric R. Day and Phillip A. Sisti, Virginia Tech Entomology

Origin & Distribution: The spotted lanternfly (SLF) has been detected in Virginia in Frederick County in the northern part of the state in January of 2018. The SLF originates from China where its presence has been documented in detail dating as far back as the 12th century. In modern times, it was first recorded from a sample collected in Nankin, China. SLF is native to China, India, Japan, Korea, and Vietnam. In September 2014, the first detection of spotted lanternfly in the US was confirmed in eastern Pennsylvania. In 2017, the range expanded to 13 Pennsylvania counties and a single county in both Delaware and New York; the geographical range is likely to expand further. SLF is likely to have arrived from China up to two years earlier than first detected on shipping materials, pointing to its ability to overwinter successfully. It is highly invasive and can spread rapidly when introduced to new areas. This is attributed to its wide host range (more than 70 host plant species) and a lack of natural native enemies.

Description: The first stage nymph is wingless, black, and has white spots on the body and legs. The last nymphal instar develops red patches over the body while retaining the white-spot pattern.

Adult SLF are approximately 1" long and ½" wide. The legs and head are black, while the abdomen is yellow with broad, black bands on top and bottom. Its forewings are light-brown/grey with black spots and the wings tips are reticulated black rectangular blocks outlined in grey. The hind wings are a scarlet red with black spots and tips of reticulated black blocks, separated by a white stripe. At rest, the SLF shows light-brown, grayish wings with black spots held "tent-like" over its body. Adult females are distinguished by the presence of a red spot on the end of the abdomen.



Adult Spotted Lanternfly. Photo by Doug Pfeiffer, Virginia Tech Entomology

SLF egg masses (oothecae) contain 30-50 eggs, are 1-1.5" long and ½-¾" wide, grayish-brown in color, and covered with a grey, waxy coating (newly laid oothecae are somewhat shiny). Old oothecae appear as rows of 30-50 brownish seed-like deposits in 4-7 columns, measuring roughly 1" long.

Life Cycle: The SLF is univoltine and overwinters as eggs in oothecae. Eggs hatch in spring and early summer (late April-May) and undergo four nymphal instars before adults begin appearing in July, becoming abundant in August. Adults begin laying eggs in September and continue through November until the onset of winter begins to kill off any remaining adults.

Signs & Symptoms: Newly emerging nymphs disperse from the oviposition site and appear to be broad generalists as they feed on a wide range of plant species—almost every plant they encounter while on the ground. Nymphs are most often observed on leaves and branches of host plants. Look for nymphs on smaller plants and vines during the summer.

Nymph and adult SLF typically gather in large numbers on host plants. They are easy to spot at dusk or night as they migrate up and down the trunk of the plant. During the day, they are harder to see as they tend to cluster near the base of the host plant if adequate canopy cover exists.

Adult SLF are found on tree trunks, stems, and sometimes near leaf litter at the tree base. Although winged, adults are poor flyers but very strong jumpers and thus prefer to move up trees by walking. They favor Tree-of-Heaven (*Ailanthus altissima*) and grapevine (*Vitis vinifera*) as host plants on which to feed. In the fall, adult SLF focus on Tree-of-Heaven as a host for feeding and egg laying, although not exclusively. Adults will lay eggs on other smooth-trunked trees or any vertical smooth surface, natural or manmade. Look for adults starting in late August-September. Copulation and oviposition can be observed from evening to night from mid-September to November. Look for egg masses on rocks and other smooth surfaces from October to early spring.

Both nymphs and adults are phloem feeders—they suck sap from young stems and leaves, which can cause withering of whole trees. This reduces photosynthesis, weakens the plant, and eventually contributes to the host plant's death. Feeding can also cause the plant to weep or ooze, resulting in a fermented odor. Wounds will leave a grayish-black trail along the trunk.

The insects excrete large amounts of a sugar-rich fluid called “honeydew” which covers the stems and leaves of trees as well as the ground underneath infested plants. This fluid hastens the growth of sooty mold that can reduce photosynthesis, weaken the plant and cause eventual death. Blackened soil and even mold patches, appearing as a yellowish-white mat, may form at the base of the tree and often produce a vinegar smell. Honeydew secretion often attracts other insects such as yellow jackets, hornets, bees, ants and flies.

Quarantine & Status: SLF has recently been detected in Frederick County, Virginia. This fact sheet is to aid in the detection of possible new infestations, since SLF is expanding its range, and the insect can have an important economic impact. SLF has great potential to impact the country's grape, orchard, logging, tree- and wood-product, and green industries. Suspect insects that resemble SLF can be taken to the nearest Virginia Cooperative Extension county office for identification at no charge. If you have a photograph of a suspected spotted lanternfly, upload it here with the location: <https://ask.extension.org/groups/1981/ask>. Although there is no quarantine in place, if you have questions about moving material out of infested sites, contact the Virginia Department of Agriculture and Consumer Services at 804-786-3515.



Spotted Lanternfly nymphs on Tree of Heaven. Photo by Eric R. Day

Best Management Practices for Spotted Lanternfly in Yards and Landscapes

Authored by, Eric Day, Extension Entomologist, Department of Entomology, Virginia Tech; Mark Sutphin, Virginia Cooperative Extension; and Theresa Dellinger, Insect Identification Lab, Department of Entomology, Virginia Tech

Introduction

Spotted lanternfly (SLF) can be successfully controlled in yards, landscapes, and other public areas with Best Management Practices. The key for success depends on the proper timing of applications and the use of effective chemicals or biological controls. Since SLF is highly mobile and can easily move from tree to tree, or from ground level to up into trees, it is important to monitor SLF populations on a repeated basis during the year. Do not move any infested materials to limit the spread of this pest. Be aware that SLF will likely move from unsprayed areas into treated areas after treatments dissipate. Table 1 will help you look for the appropriate life stage at the proper time of the year. Table 2 specifies which treatment recommendations are appropriate for the time of year.

Table 1. Time of year and expected life stage of SLF.

November – April Look for SLF egg masses on branches and trunks of plants. Even pencil-sized branches may hold egg masses.		
May - June Early immature or nymph stages of SLF are black with white spots.		
Late June to early July The fourth and final stage of the SLF nymph has red coloration in addition to black with white spots.		
Mid-July – October Adults are present from mid-July until a hard frost in late fall. Adults start laying eggs in mid-September.		

Table 2. Time of year and appropriate treatments.

Activity	January – April	May – October	November - December
Scrape eggs			
Apply dormant oil to egg masses			
Use sticky band traps on trunks			
Use contact insecticides as spot sprays			
Use soil drench of systemic insecticides			
Use organic sprays or biological control			
Do not move any infested materials			

Pesticides, Method of Application, and Timing for Best Control

Systemic insecticides, regardless of the application method, should be used after the tree or shrub has finished flowering. Soil drenches should not be used if flowering plants are planted at the base of the tree or shrub. These practices protect pollinators. Systemic sprays are not effective against egg masses.

Table 3. Systemic insecticides, methods, and timing for control of spotted lanternfly

Systemic Insecticides Active Ingredient	Method of Application	Timing for Best Control
Dinotefuran	Soil drench or trunk spray	July to September
Imidacloprid	Soil drench	After flowering to July
Imidacloprid	Trunk injection	July to September

Contact insecticides should be used as a spot spray for clusters of SLF adults or nymphs found on vegetation. The products listed below are effective, but SLF is highly mobile and will likely to move from untreated areas into treated areas after the insecticide wears off. Contact insecticides are not recommended for egg masses.

Table 4. Contact insecticides, methods, and timing for control of spotted lanternfly

Contact Insecticides Active Ingredient	Method of Application	Timing for Best Control
Bifenthrin	Trunk, branch, and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary
Carbaryl	Trunk, branch, and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary
Zeta-cypermethrin	Trunk, branch, and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary
Malathion	Trunk, branch, and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary
Tau-fluvalinate + tebuconazole	Trunk, branch, and foliage sprays	May – early July Spot sprays as needed. Repeat in Fall if necessary

Organic Control: Neem oil and natural pyrethrin's can be used when SLFs are found on plants, but repeated applications of these materials may be necessary as SLF is very mobile and more will move in after the pesticide wears off.

Dormant oil can be used as a spot spray on egg masses, but should only be used in late winter and before bud break in the spring. Some horticultural oils and paraffinic oils can be used as a spot spray on egg masses on trees in the growing season, but these materials should be tested on a few branches first to make sure it will not harm the tree. Wait 2 weeks and retreat entire tree if no damage is observed to the tree. Do not use oil sprays as a preventative application to a tree against egg-laying by SLF; this is not effective.

Table 5. Organic insecticides, methods, and timing for control of spotted lanternfly

Organic Controls	Method of Application	Timing for Best Control
Neem oil	Trunk, branch and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary.
Natural pyrethrin's	Trunk, branch and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary.
Insecticidal soap	Trunk, branch and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary.
Horticultural oil and paraffinic oil	Trunk, branch and foliage sprays	May – early July Spot sprays as needed. Repeat in fall if necessary. May damage some plants; treat a small area and wait 2 weeks to make sure it will not harm plants.
Dormant oil	Trunk and branches with egg masses. Do not apply to foliage.	Directly on egg masses. Treat from mid-February to late April, beginning when overnight temperatures do not go below freezing the first night after application.

Biological Control: Fungal preparations can be applied from early May to early June. Fungal preparations are limited by environmental conditions such as moisture levels and temperature. They are slow-acting and control may not be apparent for several weeks. Also, SLF is highly mobile and will likely to move from untreated areas into a treated area over time.

Table 6. Biological controls, methods, and timing for control of spotted lanternfly

Biological Controls	Method of Application	Timing for Best Control
Burkholderia spp. strain A396 (Venerate XC)	Trunk, branch and foliage sprays	May – early July Spot sprays as needed.
Beauveria bassiana (Botanigard, etc.)	Trunk, branch and foliage sprays	May – early July Spot sprays as needed.

References

Leach, Heather, E. Swackhamer, and A. Korman. 2019. "Spotted Lanternfly Management for Landscape Professionals." <https://extension.psu.edu/spotted-lanternfly-management-for-landscape-professionals>

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Maintenance:

- Completed mowing of primary routes and 50% of secondary routes; will complete mowing of secondary routes this month
- Performed skin patching on various routes and will continue this month
- Contractor completed resurfacing on Route 649 (Browntown Road) and Route 622 (Buck Mountain Road)
- Repaired soft spot on Route 340 South with contractor and installed two pipes on Route 643 to address drainage issues
- Repaired shoulders on Route 340 from Route 619 south to KOA campground entrance
- Graded and applied dust control to various stabilized roads, and repaired potholes; will continue these functions this month as needed
- Will be conducting ditching operations and asphalt patching on various routes this month

Projects:

- Happy Creek Road is under construction
- Rural Rustics will begin with the new Fiscal Year budget (July 1, 2021)

Board Issues:

- Upcoming Secondary Six-Year Plan public hearing on June 15th

Front Royal/Warren County Economic Development Authority

Board of Supervisors Report June 1, 2021

To: The Honorable Cheryl Cullers and Members of the Warren County Board of Supervisors
From: Doug Parsons, Executive Director
Subject: Front Royal/Warren County Economic Development Authority Executive Director's report
Date: June 1, 2021

1. Audits:

We have submitted all needed figures to the auditors and have been told we would have drafts for both fiscal years within two weeks. The EPA has responded that they will review the statements and return any comments to us and our auditors.

2. Business Retention:

We're working with several companies on retention and expansion projects. Workforce recruitment is still the main challenge for the businesses we've visited and we're working with our partners in the workforce development realm to bring all the resources to the table that we can.

3. Business Recruitment:

Due to the Covid crisis and the shift to online shopping, the Logistics sector continues to grow and the demand for land and buildings near the VA Inland Port is high. We're working with several new prospects for our properties and have established relationships with new investors and logistics companies.

Our relationship with private landowners continues to grow and we've brought several prospects to the table for them as well. One of those prospects has closed on a piece of property and is working through the site plan process.

4. Refinancing of Debt:

The EDA is making progress on the refinancing of our debts to ensure we are getting the best deal we can for the taxpayers. The deal would reduce the amount of overall interest expense we are currently paying while reducing the principal in a manageable fashion. We want to thank the County for their support in working through this process. It also gives more time to sell properties and apply those sale proceeds toward the principal balances of our loans, reducing debt and future interest expense for the taxpayers.

5. WCEDA Owned Properties:

We've executed a one-year lease with Sysco Corporation for the 426 Baugh Drive building starting June 1, 2021. This lease will more than cover the costs of the total cost of ownership for the building and provide funds for needed maintenance, increasing the value of the building for a purchaser. The lease has a 90-day kickout clause to allow us to continue to market the building to the industry sectors that would provide jobs and tax base for our community.

Thanks to Sysco's occupancy of the building the taxpayers will be relieved of \$345,600.00 of future debt service.

6. Silent Falcon

The company is working with a contractor to renovate the building. They are now up to 20 employees.

7. VEDP Business Ready Sites Program:

The Shenandoah Valley Partnership has adjusted the scope of work to cover the 23-acre tract at Stephens as well as the land across the street. We will receive the benefit of up to \$67,000 worth of due diligence work to increase the Tier ranking of these properties.

Warren Department of Social Services

Local Advisory Board Presentation

Tuesday, June 1, 2021



Virginia Code

- **§ 63.2-300. Local boards established by local governments.**
 - There shall be a local board in each county and city of the Commonwealth.
- **§ 63.2-301. Local board appointments and terms of office.**
 - Appointments shall be for a term of four years each, except that appointments to fill vacancies that occur during terms shall be for the remainder of those unexpired terms. Appointments to fill unexpired terms shall not be considered full terms, and such persons shall be eligible to be appointed to two consecutive full terms. No person may serve more than two consecutive full terms
- **§ 63.2-302. How local board for a single county is constituted.**
 - The local board serving a single county shall be, at the discretion of the governing body of the county, either a local government official or a local board consisting of residents of the county who are, except as provided in § [63.2-303](#), appointed by the governing body of the county. If residents of the county constitute the local board, such board shall consist of three or more members.



Responsibilities of Local Administrative Board

Administrative Board - County Administrator

1 or 3+ members

Appoints Local Director unless otherwise specified by local governing body

Prepares performance evaluation of local director and reviews programmatic and local personnel performance

Meets at least bi-monthly. Makes local policy decisions with staff input

Responsible for administering duties and responsibilities of Code 63.2*

Has discretionary power of requests for local funding*

Prepares and submits annual budget to local governing body and submits other reports*

May employ legal counsel*

*Delegated to Local Director



Responsibilities of the Advisory Board

Advisory Board

5 to 13 members

Interests itself in public assistance and social services for people served by the LDSS

Monitors formulation and implementation of local social service programs

Meets at least bi-monthly and with local officials at least 4 times a year

Prepares annual report to local governing body concurrent with budget presentation of LDSS

Submits to governing body other reports as needed.



Preferred Qualities for an Advisory Board Member

- Availability
 - An educated, engaged Board is best prepared to represent and advocate for the community's citizens. Board members must have the availability and interest needed to complete training, attend Board meetings, and serve as an active, engaged member of the Board.
- Advocacy
 - Board members should be ready to embrace the role of champion, community activist, myth buster and strong supporter of vital social services work in their community. Board members serve as champions for our most vulnerable citizens and therefore must understand the purpose, cost, and gains of services and programs, and be prepared to represent those in need.
- Diversity
 - A diverse board is rich in experiences, knowledge and ideas. Members from a variety of ethnicities, cultures and backgrounds (individuals with accounting and budgeting experience, teachers, non-profit leaders, community activists, parents, CEOs, etc.) bring a range of perspectives, proficiencies and skills. A highly inclusive Board can greatly benefit the LDSS and the community at large.
- Dedication
 - Each Board member's involvement has a direct impact on the people we serve. All of our citizens deserve to be represented by dynamic, vigorous, contributory and high-performing Board members, eager to innovate and improve social services in their community.



Current Board Membership

		1 st Term Start	1 st Term End	2 nd Term Start	2 nd Term End
Current Member	Chair	1/1/2018	12/31/2021	N/A	N/A
Current Member	Vice Chair	1/1/2018	12/31/2021	N/A	N/A
Current Member	Member	1/1/2018	12/31/2021	N/A	N/A
Vacant					
Vacant					





Welcome New Local Board Member

Welcome to the Local Board of Social Services! Thank you for volunteering to serve as a LDSS Board Member. Local Board members perform work under the premise that an educated, engaged Board is best prepared to represent and advocate for the community's citizens. The ideas, decisions and actions of the Local Board have a direct impact on the lives of children, families and vulnerable citizens, and therefore are handled with the utmost respect and commitment. This Pre-Service Agreement includes two Action Items that are **required for completion within the first 90 days of each four-year term**, in addition to several items **recommended** for completion within the first 90 days of your first term.

Board Member Name:		Local Department:	Date:
Local Director Name:		Department Phone:	
Department Address:		Web Address:	
Hours:			
Type of Board: Administrative ☐	Advisory ☐	<i>(Training is required for both types of Boards.)</i>	
Board of Supervisors/City Council member who appointed you:		Expiration date:	
Date of swearing in:		Length of term:	
Action Items	Description	✓	
Items 1 & 2 Below Are <u>Required</u> Within First 90 Days of Each Four-year Term			
1. Sign and Submit Pre-Service Agreement	Familiarize yourself with all Action Items and Local Board Member Responsibilities. Sign the agreement and provide a copy to the Board Chair.		
2. Complete Board Member Training	Attend Board Member Training conducted by the VDSS Regional Director. Ask your Local Director for training dates and times.		
Items Below Are <u>Recommended</u> Within First 90 Days			
Read the Local Board Member Handbook	The Handbook: http://www.dss.virginia.gov/about/files/lb_handbook.pdf will help acclimate you to your new position. Be sure to highlight any sections or questions you would like to explore at your first Board Member meeting.		
Visit VDSS Website	Visit the VDSS website: http://www.dss.virginia.gov/ and explore the plentiful information.		
Complete Intro to VSSS eLearning	Click to complete an eight minute eLearning designed to orient you to the Virginia Social Services System: http://dss.virginia.gov/division/od/training/OD1000/		
Review Local Agency Profile	Explore data showcasing LDSS caseloads and expenditures: http://www.dss.virginia.gov/geninfo/reports/agency_wide/ldss_profile.cgi . Click the most recent SFY and open the spreadsheet. Click in the box next to Locality Name, then click the arrow at right and select the locality name from the dropdown list.		
Meet the Team	Arrange a meeting with your Local Director to tour the agency.		
Online Research	Jump online to learn about local agency work, partnerships, and upcoming events.		
Attend Meetings	Attend all meetings prepared to discuss agenda items. If you are unable to attend a meeting, inform the Board Chair and Local Director, as a quorum is required for voting.		
Advocate & Engage	Embrace your role as a champion, mythbuster, and strong supporter of vital social services work in your community.		

Welcome New Local Board Member



Other Local Board Member Responsibilities Specific to Your Locality:

- 1.
- 2.
- 3.
- 4.
- 5.

	Name	Phone	E-mail
Local Director			
Board Chair			

By signing, I indicate my understanding of the expectations and responsibilities that comprise the service and commitment of a Local Department of Social Services' Board Member. I agree to protect confidential information regarding employees, clients, the public and the Department. I agree to uphold the best interests of our clientele, our community, and the Local Department, through active, engaged service and advocacy. I understand that I can be removed from the Board if I do not meet established expectations.

Signature

Date



COUNTY OF WARREN



Department of Fire & Rescue Services

200 Skyline Vista Drive, Suite 200

Front Royal, Virginia 22630

Phone: (540) 636-3830

Fax: (540) 636-9986

Email: rfarrall@warrencountyfire.com

Rick Farrall
Lieutenant – Emergency
Coordinator

BOARD OF SUPERVISORS

CHAIRMAN
Cheryl L. Cullers
South River
District

VICE CHAIR
Archie A. Fox
Fork
District

Tony F. Carter
Happy Creek
District

Delores R. Oates
North River
District

Walter J. Mabe
Shenandoah
District

Dr. Edwin Daley
County Administrator

TO: Warren County Board of Supervisors

FROM: Rick Farrall, Lieutenant – Emergency Coordinator

DATE: June 1, 2021

SUBJECT: Executive Summary - Coronavirus Relief Funds (CRF) Close-out Report

1. Issue. In the Summer of 2020, Warren County ("the County") received a total of \$7,008,308.00 in Coronavirus Relief Funds (CRF); two \$3,504,154 installments were received on June 1, 2020 ("Round 1") and August 12, 2020 ("Round 2"). The CRF was equitably split with the Town of Front Royal, VA ("the Town") and expended per Federal and State guidance.

2. Discussion.

a. The County and Town mutually agreed that the equitable distribution of the CRF (funds) would be based on a total population of 40,000 (25,000 and 15,000 respectively); 62.5% to the County (\$4,530,192.00) and 37.5% to the Town (\$2,478,116.00).

b. The final breakdown of Warren County Board of Supervisors and Town of Front Royal Town Council authorized expenditures is:

	County	Town	Total
Individual Utilities Support	\$25,333.83	\$0.00**	\$25,333.83
Facilitate Distance Learning	\$150,000.00	\$150,000.00	\$300,000.00
Public Safety Payroll	\$2,319,443.64	\$1,201,558.00	\$3,521,001.64
Small Business/Non-Profits	\$1,734,694.67	\$1,276,558.00	\$3,011,252.67
Chamber of Commerce Support	\$30,000.00	\$30,000.00	\$60,000.00
Courthouse Jury Trial Upgrades	\$10,687.86	\$0.00	\$10,697.86
First Responder Hazard Duty Pay	<u>\$80,000.00</u>	<u>\$0.00</u>	<u>\$80,000.00</u>
Total	<u>\$4,530,192.00</u>	<u>\$2,478,116.00</u>	<u>\$7,008,308.00</u>

c. **Note there are separate CRF funds (\$88,109.00) for Town Utility customer support.

3. Recommendation. No further action is required to internally account for the CRF (funds); all related documentation is on file at the County level (see attached overview). Recommend Robinson, Farmer, and Cox conduct an audit of CRF funds at County expense, as appropriate.

Front Royal-Warren County
Rivers of Opportunity-Mountains of Success

5-14-2021

COUNTY OF WARREN, VIRGINIA
Detailed Summary of CRF Appropriations
By APA Functional Expenditure Categories

	General Government Administration	Judicial Administration	Public Safety	Public Works	Health & Human Services	Education	Parks, Recreational & Cultural	Community Development	Total
Allocation Description	4-1-15001-3002	4-1-25001-0000	4-1-35001-1001	4-1-45001-0000	4-1-55001-5604	4-1-65001-0000	4-1-75001-0000	4-1-85001-5604	
Other/Support to the Chamber-Cty/Twn								60,000.00	60,000.00
Admin. Expenses (Cares Act Audit)	-								-
Small Business Grants - County								1,100,000.00	1,100,000.00
Small Business Grants - Town								1,276,558.00	1,276,558.00
Public Safety Payroll - County			864,631.00						864,631.00
Public Safety Payroll - Town									-
Econ Support (Individual Utility Grants)					25,355.83				25,355.83
	-	-	864,631.00	-	25,355.83	-	-	2,436,558.00	3,326,544.83

	General Government Administration	Judicial Administration	Public Safety	Public Works	Health & Human Services	Education	Parks, Recreational & Cultural	Community Development	Total
Allocation Description	4-1-15002-0000	4-1-25002-5604	4-1-35002-1001	4-1-45002-0000	4-1-55002-5604	4-1-65002-5413	4-1-75002-0000	4-1-85002-5604	
Facilitating Distance Learning						300,000.00			300,000.00
Small Business Grants - County								634,694.67	634,694.67
Small Business Grants - Town									-
Public Safety Payroll - County			1,454,812.64						1,454,812.64
Public Safety Payroll - Town			1,201,558.00						1,201,558.00
Other/Courthouse Jury Trial Upgrades		10,697.86							10,697.86
Other/Public Safety Hazard Duty Pay-Cty			80,000.00						80,000.00
Other/Public Safety Hazard Duty Pay-Twn									-
Other/Support to the Chamber-Twn									-
Econ Support (Individual Utility Grants)									-
	-	10,697.86	2,736,370.64	-	-	300,000.00	-	634,694.67	3,681,763.17
Total	-	10,697.86	3,601,001.64	-	25,355.83	300,000.00	-	3,071,252.67	

CARES Act Revenues	3-1-33090-0001	3-1-33090-0002	3-1-33090-0003	Total
CARES Act - Round 1	3,504,154.00			3,504,154.00
CARES Act - Round 2		3,504,154.00		3,504,154.00
	3,504,154.00	3,504,154.00	-	7,008,308.00

\$ 7,008,308.00

Public Safety Payroll - County

\$ 2,319,443.64

00 County and Town assisted Chamber of Commerce for administration County/Town CRF grant programs

County provided Hazardous Duty Pay to 57 WCSO & 34 WCFR employees in designated VRS positions (and 12 P/T)

Town	2,478,116.00	County	4,530,192.00	Total Round 1 & 2	7,008,308.00
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	2,478,116.00		4,530,192.00		7,008,308.00	7,008,308.00
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Rick Farrall
Lieutenant - Emergency Coordinator

**CARES ACT Warren County VA Public Safety Payroll
(WCSO Comp Board Adjustments)**

June 1 2021 v1

Month	Jul/Aug'20	Sep '20	Oct '20	Nov '20	Dec '20	Jan '21	Feb '21
BOS Appropriation	\$864,631.00	\$431,077.29	\$438,578.00	\$468,375.00	\$0.00	\$0.00	\$0.00
Subtract WCSO Comp Board Adjust	\$350,313.78	\$164,789.66	\$174,886.76	\$173,284.00	\$0.00	\$0.00	\$0.00
Subtract WCFR SAFER Grant (6xFF)	\$0.00	\$0.00	\$0.00	\$21,990.60	\$0.00	\$0.00	\$0.00
Add Fire Rescue Payroll &/or O/T	\$0.00	\$0.00	\$26,952.00	\$68,545.00	\$219,166.00	\$227,309.00	\$205,715.00
Rnd 1 & 2 Payroll "final transfers"	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Rnd 2 Req'd BOS Appropriation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Add Fire Rescue Payroll & O/T	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

	Mar '21	Apr '21	May '21	Total
BOS Appropriation	\$0.00	\$0.00	\$0.00	\$2,202,661.29
Subtract WCSO Comp Board Adjust	\$0.00	\$0.00	\$0.00	\$863,274.20
Subtract WCFR SAFER Grant (6xFF)	\$0.00	\$0.00	\$0.00	\$21,990.60
Subtotal Public Safety Payroll comp/grant adjustment required				\$885,264.80
Add Fire Rescue Payroll &/or O/T	\$137,577.80	\$0.00	\$0.00	<u>\$885,264.80</u>
Rnd 1 & 2 Payroll "final transfers"			\$116,782.35	\$116,782.35
Subtotal Public Safety Payroll final transfer adjustment required				\$116,782.35
Add Fire Rescue Payroll &/or O/T	\$69,139.40	\$47,642.95		<u>\$116,782.35</u>
<i>Note: Total F/R April 2021 Payroll & O/T</i>		\$191,369.03		<u>\$2,319,443.64</u>

COUNTY OF WARREN



County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Phone: (540) 636-4600

FAX: (540) 636-6066

Email: edaley@warrencountyva.net

Dr. Edwin C. Daley
Interim County Administrator

TO: Keith McLiverty, County Finance Director

FROM: Dr. Edwin C. Daley, Interim County Administrator *Ed*

DATE: May 25, 2021 (v16)

SUBJECT: Establishment of Additional Non-Departmental Accounts and Transfers

BOARD OF SUPERVISORS

CHAIRMAN

Walter J. Mabe
Shenandoah
District

VICE CHAIR

Cheryl L. Cullers
South River
District

Tony F. Carter

Happy Creek
District

Archie A. Fox

Fork
District

Delores R. Oates

North River
District

Dr. Edwin C. Daley
Interim
County Administrator

From the 91000-5898 Non-Departmental Contingency Reserve:

1. The following Non-Departmental (91000 related) accounts:	<u>Budget</u>	<u>Balance</u>
a. 91000-8001 Public Safety Communication Tower Upgrades	\$100,000.00	\$0.00
b. 91000-8002 Courthouse Records Digitization Project	\$100,000.00	\$0.00
c. 91000-8003 County Employee COVID-19 Appreciation Pay	\$200,000.00	\$0.00
d. 91000-8004 Chester Gap VFD COVID-19 P/T Cost Share	\$60,000.00	\$30,639.43
e. 91000-8005 COVID-19 FEMA-B Reserve (GF Contingency)	\$1,000,000	\$0.00
f. 91000-8006 COVID-19 Reserve	\$687,677.98	\$797,968.47
<i>Notes: Add balance from 8003 (\$61,500.00); restore previous 5604 transaction (\$39,656.00)</i>		
g. 91000-8007 Airport Capital Project	\$25,000.00	\$25,000.00
h. 91000-8008 Commonwealth Attorney Office Project	\$31,000.00	\$31,000.00
i. 91000-8009 Front Royal VFD Radio Payback	\$85,765.66	\$85,765.66
Subtotal	\$2,289,443.64	\$970,373.56
j. 4-1-64010-5604 for LFCC/COVID-19 Workforce Retraining	\$30,000.00	\$0.00
Total (7/20 - 4/21 County "Public Safety Payroll")	\$2,319,443.64	\$970,373.56

2. Effective June 1, 2021 - transfer select account balances into 91000-8006. Thank-you.

*Front Royal-Warren County
Rivers of Opportunity-Mountains of Success*

6/1/2021
Fiscal Year 2020-2021

Appropriations

4-1-92000-7112	HHS Complex FY 2020-2021	125.00	to appropriate LCI Services sponsorship for scoreboards at HHS Complex 3-1-18990-99
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Transfers

<u>FROM:</u>	Special Projects	Planning - Vehicle	(30,000.00)	Transfer to Balance Line Items
	81010-5504		(4,500.00)	Transfer to Balance Line Items
<u>TO:</u>	81010-7005	Planning	30,000.00	
	81010-5408	Planning	1,000.00	
	81010-5401	Planning	1,000.00	
	81010-7007	Planning	1,500.00	
	81010-7008	Planning	1,000.00	
<u>FROM:</u>	14040-5899	County Attorney - Unclassified	(200.00)	To compensate for the additional filing fees for private services for witness the Office has and may occur
	1204-5504	County Attorney - Travel & Training	(500.00)	with the additional Department of Social Services caseload
<u>TO:</u>	12040-3150	Filing and Services Fee	700.00	
<u>FROM:</u>	92000-7042	Rivermont VFD Building Fund	(4,194.28)	To Reimburse Rivermont VFD for new construction electric bill (DEC 2020 - FEB 2021)
<u>TO:</u>	4-095-035076-5405	Rivermont VFD Expenditures (Electric)	4,194.28	
<u>FROM:</u>	Special Projects	2010 First Half Taxes - Reserves	(600,000.00)	To cover cost related to Technology upgrades
<u>TO:</u>	91000-3015		600,000.00	
<u>FROM:</u>	91000-8001	P/S Comm Tower	(2,693.49)	To close out account 91000-8001/8002 - Reference 10
	91000-8002	Courthouse	(400.00)	
<u>TO:</u>	91000-8006	Covid 19 Reserve	2,693.49	
	91000-8006	Covid 19 Reserve	400.00	
<u>FROM:</u>	91000-8003	County App pay	(139,000.00)	Reimburse departments for individual county Covid 19 Appreciation pay per employee - Reference 11
<u>TO:</u>	Various Departments Apps.		139,000.00	
<u>FROM:</u>	91000-8005	FEMA - B / GF Cont.	(184,697.00)	Close out Acct 91000-8005 - Reference 12
<u>TO:</u>	91000-8006		184,697.00	
<u>FROM:</u>	91000-8006	Covid 19 Reserve	(31,000.00)	Expenses related to commonwealth attorney office project - Reference 14
<u>TO:</u>	91000-8008	TBD-Comm Atty Office Project	31,000.00	
<u>FROM:</u>	91000-8006	Covid 19 Reserves	(85,765.66)	Reimbursement to FR VFD for purchases for "new" engine - Reference 15
<u>TO:</u>	91000-8009	TBD - Front Royal VFD	85,765.66	
<u>FROM:</u>	91000-8003	Finance	(61,000.00)	To move excess Cares Acknowledgement funding to reserves
<u>TO:</u>	91000-8006	Finance	61,000.00	



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE June 1, 2021	ITEM M	SUBJECT: Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and Town of Front Royal (Municipal Utility Relief Program)	PAGE 1 OF 6
<u>EXPLANATION & SUMMARY:</u> On December 14, 2020, the Board of Supervisors approved the Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and Town of Front Royal (Municipal Utility Relief Program). Since then, the time-period of the CARES Municipal Utility Relief Program was extended from December 30, 2020 to December 31, 2021. See the attached Memorandum from the Department of Housing and Community Development notifying all parties of the extension marked Attachment A. As a condition of release of the funds, the County must serve as the Town's fiscal agent and must agree to return any funds that are not spent in accordance with the CARES Act or if the Town fails to meet certain other requirements, including those related to obtaining and retaining certain records. Accordingly, the County must sign a Certification for Receipt of Corona virus Relief Fund Payments that so provides, and which also authorizes State Aid intercept of County funds if repayment is required. Because the County is responsible for the funds but the Town spends them, an Agreement was drafted that requires the Town to indemnify the County if the Town fails to comply with any such requirements and sets out the Town's and County's responsibilities. On April 26, 2021, the Front Royal Town Council approved and the attached Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds. <u>COST & FINANCING:</u> With full compliance of the CARES Act and all other applicable rules, there is no cost to the County. <u>CONSENT AGENDA MOTION:</u> I move the Board of Supervisors authorize the Cheryl Cullers to execute, approve and delivery and performance of the Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and the Town of Front Royal on behalf of Warren County, in substantially the form as presented, with such additions and corrections as may be approved by the Chairwoman. <u>ALTERNATIVE MOTIONS:</u> I move the Board of Supervisors not approve and authorize the execution, delivery and performance of the Amended Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and the Town of Front Royal. OR I move the Board Postpone action until _____ for further discussion.			
SUBMITTED BY: Rick Farrall, Em. Coordinator/ Caitlin Jordan, Sr Asst. Co. Attorney	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

**AMENDED AGREEMENT FOR THE USE OF
FEDERAL CARES CORONAVIRUS RELIEF FUNDS**

THIS AMENDED AGREEMENT for the Use of Federal Cares Coronavirus Relief Funds (the "Agreement"), made this _____ day of _____, 2021 by and between the County of Warren, a political subdivision of the Commonwealth of Virginia, (herein after referred to as the "County") party of the first part, and the Town of Front Royal, a political subdivision of the Commonwealth of Virginia, (hereinafter referred to as the "Town") party of the second part;

WITNESSETH:

WHEREAS, the United States Congress passed, and the President signed the *Coronavirus Aid, Relief and Economic Security ("CARES") Act of 2020* (the "Act"); and,

WHEREAS, the Act provided funding for a number of different programs to address the COVID-19 pandemic; and,

WHEREAS, a primary component of the Act is the provision of \$150 billion in assistance to state, local, territorial and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund ("CRF"); and,

WHEREAS, the Town has been notified that it has been awarded federal Coronavirus Aid, relief, and Economic Security Act (CARES Act) funds pursuant to the Appropriation Act mandated State Corporation Commission application process in the amount of \$88,109,00 to assist with municipal utility customer relief for all eligible customers of Town of Front Royal, and,

WHEREAS, expenditure of the funds is subject to be used only for qualifying expenses as defined by the COVID-19 Municipal Utility Relief Program, the expenditure of the funds will be audited and any funds expended for purposes other than as provided by the Act will have to be repaid and returned to the Commonwealth of Virginia; and,

WHEREAS, the parties hereto wish to confirm that the expenditure of the funds from CRF is limited to the uses established in the COVID-19 Municipal Utility Relief Program and that the

funds distributed to the Town will be subject to refund and return by the Town and not by the County;

NOW THEREFORE THE PARTIES HERETO DO HEREBY AGREE AS FOLLOWS:

- 1) That the County will distribute to the Town the sum of \$88,109.00 from the CRF funds distributed to the County, contingent upon the Town using such funds for expenses that are reimbursable under the COVID-19 Municipal Utility Relief Program, upon the Town providing the Certification for Receipt of Coronavirus Relief Fund Payments document to the County, and that the Town comply with all other applicable laws and County requirements concerning the expenditure of the fund.
- 2) That the funds distributed to the Town by the County may only be used for the direct costs associated with the COVID-19 Municipal Utility Relief Program, as those expense qualify and as defined and limited by the Program. These are specifically limited to costs that:
 - a) Assist municipal utility customers experiencing economic hardship due to the COVID-19 pandemic;
 - b) Utility customers that attest of the COVID-19 economic hardship;
 - c) Arrearages owed by eligible customers owed from March 1, 2020 through December 31, 2021;
 - d) Funds may only be used to provide direct assistance to customer accounts over 30 days in arrears during the March 1, 2020 through December 31, 2021;
 - e) Up to 5% of the allocation may be used for direct administrative costs to support management of relief program.

The Town shall refrain from providing dual benefit to customers who have already received some level of assistance through other existing programs funded by the CARES Act for the same months of arrearages.

- 3) That the Town shall keep, maintain and provide to the County all necessary documentation to ensure compliance with the federal, state and County requirements.
- 4) Except as otherwise provided herein, distribution by the Town is at its sole risk. Except as otherwise provided herein, should the appropriate federal or state authorities determine that the Town improperly expended such funds for purposes that do not qualify under the Act the Town must promptly return and repay the amount of the funds subject to the improper expenditure to the County. The County shall not be required to appeal or contest any determination by the federal or state authorities that such funds were improperly expended, unless the Town requests the County to appeal or contest such determination by the federal or state authorities that such funds were improperly expended, in which case the Town will assume all costs, expenses, and risks of such appeal, and will hold the County harmless from same.
- 5) The Town shall return all unspent funds to the County no later than the close of business on November 30, 2021. Upon receipt of the unspent funds, the County shall return such funds to The Department of Accounts by the close of business on December 31, 2021. The Town shall fully comply with all requirements of the Act and fully cooperate with the County, the Commonwealth of Virginia, and the United States of America in the use of the Town Distribution, including any and all audits
- 6) Except as otherwise provided herein, the parties agree that the Town shall reimburse the County within ten (10) days of request from the County for any expenditure of funds by the County necessitated by the failure of the Town to fully comply with this Agreement, with the Act, or incurred as a result of an allegation or inquiry by the state or federal government that the Town failed to comply with the Act, including any costs, such as audit fees, attorney's fees, or other expenses and any amounts that the County may be required to refund because of the violation by the Town of the Act or the improper expenditure of the Town Distribution. If such reimbursement is not provided within ten (10) days of such request, interest at the judgment rate shall be paid by the Town to the County.
- 7) In order to secure repayment of any amounts due hereunder to be reimbursed to the County by the Town, the Town agrees that any amount due hereunder, if not paid within ten (10)

days of notification and request to pay, may be withheld by the County from any funds due the Town which passes through the County or the office of the County Treasurer. This may include sales taxes, real estate taxes, personal property taxes, court fines and fees, septage fees, state or federal revenues, or any other funds of any kind or character which the County Treasurer collects on behalf of the Town and remits to the Town, or which the County possesses for any period of time: Furthermore, the Town .agrees that any amount due hereunder, if not paid within ten (10) days of notification and request to pay, may be withheld by the County from any funds due the Town from the County under any agreement between the County and the Town now in existence or to be agreed to in the future, including but not limited to all amounts owed under the Amendment to Voluntary Settlement Agreement Between the County of Warren, Virginia, and the Town of Front Royal, Virginia, Regarding the Compromise for Pilot Meals and Lodging Taxes dated April 11, 2018.

- 8) In the event that any State or Federal authority finally determines that the County owes money as a result of actions of the Town in violation of this Agreement, the Town waives its right to and agrees not to assert any defense of statute of limitations, laches or any other time related defense. The parties agree that the remedies provided in this Agreement are not exclusive, and that the County preserves all causes of action against the Town related to the Town Distribution.
- 9) Any dispute concerning the performance or interpretation of this Agreement must be adjudicated in the General District or Circuit Courts of Warren County, Virginia, unless this matter has been removed by the United States of America or the Commonwealth of Virginia to the Federal Courts, in which case the matter may be adjudicated there.
- 10) This Agreement constitutes the entire understanding and agreement among the parties with respect to the matters set forth herein and/or therein and supersedes all prior or contemporaneous understandings or agreements among the parties with respect to the subject matter hereof, whether oral or written.
- 11) If any provision of this Agreement is invalid, illegal or unenforceable, the balance of this Agreement remains in full force and effect. If, however, the provision of the Agreement

held invalid, illegal or unenforceable is material to the whole Agreement then the entire Agreement is of no force or effect, unless the parties otherwise unanimously agree in writing.

- 12) This Agreement constitutes a fully negotiated agreement among sophisticated parties, with the assistance of legal counsel, and must not be construed and interpreted for or against any party thereto.

This Agreement has been duly authorized and approved by the Town Council of the Town of Front Royal and the Board of Supervisors of Warren County and the Chairman of the Board and the Mayor of the Town are authorized to execute the same.

WITNESS the following signatures:

Mayor
Town of Front Royal, Virginia

Chairwoman
Board of Supervisors of
Warren County, Virginia

Attest:

Attest:

Tina Presley, Clerk of Town Council

Edwin Daley, Clerk of Board of Supervisors

Approved as to Form:

Approved as to Form:

Douglas W. Napier, Town Attorney

Caitlin Jordan, Sr. Assistant County Attorney

Attachment A



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

Erik C. Johnston
Director

Memorandum

To: Municipal Utility Directors; and City, County, and Town Chief Administrative Officers
From: Erik Johnston, Director, Virginia Department of Housing and Community Development
David Von Moll, Comptroller, Virginia Department of Accounts
Date: January 11, 2021
Re: Deadline extension for (1) return of CRF to DOA and (2) submission of required certification and certification addendum

This memo is to inform you that the previously established deadline of February 19, 2021, for returning any unspent funds as part of the COVID-19 Municipal Utility Relief Program has been extended to December 31, 2021.

Additional deadlines related to the administration of this program are contained in this memo, so please carefully read through this memo in its entirety. We also encourage all participating municipal utilities and their partner city or partner county (where applicable) to print and retain a copy of this memo for their records.

Item 5 of the original certification contained the following language:

Any funds that are not expended or that will not be expended on necessary expenditures incurred before December 30, 2020, by the municipal utility or its grantee(s), must be returned to Commonwealth of Virginia no later than January 29, 2021, and that the Commonwealth of Virginia is entitled to invoke State Aid Intercept to recover any such unexpended funds.

The Virginia Department of Housing and Community Development (DHCD) and the Virginia Department of Accounts (DOA) hereby affirm and attest that any existing or future certification containing the previous language referenced above shall be interpreted and enforced as if the new due date of December 31, 2021, was in the certification language. Accordingly, Item 5 for any existing and future certification that is reviewed and approved by DHCD with subsequent distribution by DOA, shall now read and/or be interpreted as follows:

Any funds that are not expended or that will not be expended on necessary expenditures incurred before December 31, 2021, by the municipal utility or its grantee(s), must be returned to Commonwealth of Virginia no later than December 31, 2021, and that the Commonwealth of Virginia is entitled to invoke State Aid Intercept to recover any such unexpended funds.

We encourage any municipal utility and partner city or county that has not yet submitted their certification through the certification portal to update the language in item 5 to reflect the December 31,

Attachment A

2021, date; however, submissions that contain the old date are still sufficient and shall be interpreted and enforced in accordance with this new date.

Please note that the December 31, 2021, deadline for returning unspent funds shall also function as the end of the "covered period" for which eligible arrearages may be addressed. **Accordingly, for purposes of the COVID-19 Municipal Utility Relief Program, the "covered period" will now cover the period of March 1, 2020, to December 31, 2021.**

Finally, as it relates to receiving your utility's award amount that was reflected in the December 7, 2020, award letter, **you are required to submit your complete, signed certification and certification addendum to DHCD through the certification portal no later than 5:00 p.m. on Tuesday February 16, 2021, in order to receive your funds.** The certification portal can be accessed at the following link:

<https://survey.alchemer.com/s3/6053803/COVID-19-Municipal-Utility-Relief>



DATE	ITEM	SUBJECT:	PAGE 1 OF 1
June 1, 2021	N-1	Citizen Appointment to the Warren County Planning Commission	
<u>EXPLANATION & SUMMARY:</u>			
There is currently a vacancy on the Warren County Planning Commission for the unexpired four-year term of Crystal Beall (representative of the South River District) ending on December 31, 2023. Resumes and applications from interested citizens were solicited for this vacancy through advertisements in the newspaper, a posting on the Government Center bulletin board, and on the County’s website. There was one application received in response to this solicitation from Kaylee Richardson, and following a closed session discussion, it was the consensus of the Board to appoint Ms. Richardson to this unexpired position.			
<u>COST & FINANCING:</u> N/A			
<u>CONSENT AGENDA MOTION:</u>			
I move that the Board of Supervisors appoint Kaylee Richardson to the Warren County Planning Commission representing the South River Magisterial District to fill an unexpired four-year term ending December 31, 2023.			
SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:
Edwin C. Daley, Interim County Administrator			



DATE June 1, 2021	ITEM N-2	SUBJECT Adoption of Systems Lead Technician and PC Technician Job Descriptions and Grade Placement	PAGE 1 OF 1
<u>EXPLANATION & SUMMARY:</u> Please see the attached job descriptions for a Systems Lead Technician and a PC Technician. These two IT positions were discussed and approved during the recent budget process for FY 2021-2022. We are recommending they be placed on the County's salary scale at the following grades: Systems Lead Technician: Grade 17. Salary range for this position is \$56,136.81 - \$85,418.81 PC Technician: Grade 11. Salary range for this position is \$41,886.21 - \$63,734.83			
<u>PROPOSED OR SUGGESTED MOTION:</u> (1) I move that the Board of Supervisors adopt the Systems Lead Technician (Grade 14) and PC Technician (Grade 11) job descriptions with grades in the County's compensation plan. -OR- (2) I move that the Board of Supervisors not adopt the Systems Lead Technician and PC Technician job descriptions and grade placements. -OR- (3) I move that this matter be postponed until _____ for further discussion.			
SUBMITTED BY: Taryn Logan, Deputy County Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

Systems Lead Technician

GENERAL DEFINITION OF WORK:

FLSA Status: Non-Exempt

Performs a wide range and oversight of IT work, providing assistance to each department as needed; does related work as required.

ESSENTIAL FUNCTIONS/TYPICAL TASKS:

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

- Design, installation, configuration, and testing of Network Backup System.
- Familiarity with Microsoft 365 and Outlook Cloud.
- Installation, configuration, and testing of miscellaneous Network Application software.
- Installation, configuration, and testing of updates and upgrades to Server application software and operating systems.
- Maintenance of user ID's and passwords for Active Directory/Azure.
- Ability to create and maintain Microsoft group policy.
- Operating system imaging and software deployment.
- Monitoring for abnormal network activity for detection of viruses or unauthorized access.
- Planning for disaster recovery as it pertains to network hardware, software, and data.
- Provide reports to administration for security, network utilization, and capacity planning.
- Support application and operating system software issues, hardware issues, trouble calls, equipment inventory, and training.
- Research and report on new emerging technologies that may be beneficial to the Warren County government.
- Implementation and management of a system logging server.
- Management and evaluation of technology personnel.
- Assist in purchasing of new equipment.
- Planning for future growth and the refresh cycle of County technology equipment.
- Responsible for creation and maintenance of the Warren County government technology plan.
- Planning for policies and mitigation strategies for the County government.
- Other duties as assigned by the County Administrator.

KNOWLEDGE, SKILLS AND ABILITIES:

This position requires a personable individual who is capable of prioritizing their schedule and managing their time to accomplish a wide variety of tasks. Applicant must be able to repair, provide maintenance, and troubleshoot Network Servers and Meraki Switches and Routers, along with OEM devices within the County network. Must be willing to learn new technologies and work in a team environment.

EDUCATION AND EXPERIENCE:

A minimum of 5 years' experience working in the computer field is preferable. A high school diploma or equivalent is required along with additional technical training or related college coursework. Knowledge of Windows and Windows Server is required. Familiarity with Voice Over IP is preferable. Experience working in a public safety environment such as the Sheriff's Office and Fire and Rescue is desirable.

PHYSICAL REQUIREMENTS:

Duties performed typically in an office setting. Frequent walking, standing, sitting, stooping, lifting up to approximately 30 pounds, and occasional lifting of equipment such as technology equipment weighing up to approximately 75 pounds may be required. Frequent operation of a vehicle and office equipment is required. Vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for preparing and analyzing written or computer data, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is subject to inside and outside environmental conditions, noise, and hazards. Contact with staff members is required. Occasional contact with technology professionals may be required. Frequent contact with vendors and other technicians by phone, email, or in person is necessary.

PC Technician

GENERAL DEFINITION OF WORK:

FLSA Status: Non-Exempt

Performs difficult IT duties including computer maintenance and repair. Does related work as required. Work is performed under regular supervision.

ESSENTIAL FUNCTIONS/TYPICAL TASKS:

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

- Installs new or updates of software on County computer devices.
- Keeps informed on the latest technologies, practices, and programs in the technology field.
- Keeps materials, supplies, and skills up to date.
- Examines and recommends technology hardware and software to staff.
- Assists in the implementation of the technology plan.
- Troubleshoots audio/visual (A/V) hardware and software.
- Minor network setup and administration.
- Assists other technology staff as needed.
- Models non-discriminatory practices in all activities.
- Operating System imaging and software deployment.
- Complies with and supports County regulations and policies.
- Maintains proper boundaries with staff at all times, assuring respect for the ethical and legal duties in the staff relationship.
- Provides a good role model of a professional in appearance, demeanor, dress, and behavior.
- Performs other related duties as assigned by the technology supervisor in accordance with the County government policies and practices.

KNOWLEDGE, SKILLS AND ABILITIES:

Requires a personable individual capable of managing their schedule independently to accomplish a variety of tasks. Candidates must possess demonstrated ability and professional and personal characteristics necessary for working effectively with county staff. The ability to diagnose and solve computer, peripheral, and network problems and the ability to establish and maintain effective working relationships with County staff and community members. The ability to stay proactive in regard to the technology environment is a must.

EDUCATION AND EXPERIENCE:

A minimum of 3 years' experience working in the technical computer field with knowledge of a variety of software: Microsoft, Voice Over IP, Office 365. Experience with printer repair is preferred. A high school diploma is required with additional technical training or college level coursework. A+ certification and Network + certification is desirable.

PHYSICAL REQUIREMENTS:

Duties performed typically in an office setting. Frequent walking, standing, sitting, stooping, lifting up to approximately 30 pounds, and occasional lifting of equipment such as technology equipment weighing up to approximately 75 pounds may be required. Frequent operation of a vehicle and office equipment is required. Vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for preparing and analyzing written or computer data, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is subject to inside and outside environmental conditions, noise and hazards. Contact with staff members is required. Occasional contact with technology professionals may be required. Frequent contact with vendors and other technicians by phone, email, or in person is necessary.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF 1
June 1, 2021		Annual Term Contract Renewal with General Excavation Inc.	

EXPLANATION & SUMMARY:

In May 2020, the County accepted one bid for a qualified firm to provide roadway maintenance and repair services within the various sanitary districts. On June 16, 2020, the Board authorized the execution of a contract with General Excavation Inc. ("GEI") for said contract services. Pursuant to the contract, General Excavation Inc. provides roadway maintenance, repair, construction, and drainage improvement work. The company is utilized in Shenandoah Farms Sanitary District, Lake Front Royal Sanitary District, and other County-owned property in Warren County.

July 1, 2021 the current agreement will expire. GEI, has provided satisfactory services and performed well under the contract. The contract contains a renewal option that provides for two (2) additional one (1) year terms. Pursuant to the renewal option, the proposed Amendment to the Contract would extend the contract for another one (1) year term, beginning July 1, 2021 until June 30, 2022. Rates will remain the same as provided in the original contract term.

A copy of the original contract as well as the rates to be in effect during this term have been provided as Attachment A. as well as the proposed Amendment with General Excavation, Inc.

COST & FINANCING:

The funding for work in sanitary districts will come from the individual sanitary district budget.

CONSENT AGENDA MOTION:

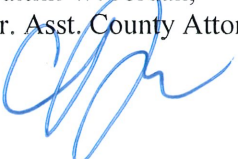
I move that the Board of Supervisors authorize the County Administrator to execute the amendment to the contract with General Excavation Inc., in accordance with the renewal option in the contract, to extend the contract for a one (1) year term of July 1, 2021 to June 30, 2022.

ALTERNATIVE MOTION:

I move that the Board of Supervisors not authorize the County Administrator to execute the amendment to the contract with General Excavation Inc., in accordance with the renewal option in the contract.

OR

I move that the Board of Supervisors postpone this item for further discussion until _____.

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER	PROCESSED BY:
Caitlin W. Jordan, Sr. Asst. County Attorney 	(DESCRIBE)	

Attorney

**AMENDMENT #1
TO THE AGREEMENT BETWEEN
THE COUNTY OF WARREN, VIRGINIA
AND GENERAL EXCAVATION, INC.
FOR CONTRACT SERVICES**

THIS AMENDMENT (hereinafter the "Amendment") dated this ____ day of _____, 2021, by and between the County of Warren, Virginia, a political subdivision of the Commonwealth of Virginia, whose address is 220 North Commerce Avenue, Suite 100, Front Royal, Virginia 22630 (hereinafter the "Owner"), and GENERAL EXCAVATION, INC., whose mailing address is 9757 Rider Road, Warrenton, Virginia 20187, and whose employers ID number is 54-1223927 (hereinafter called the "Service Provider").

WITNESSETH:

WHEREAS, the Owner and the Service Provider executed an agreement for roadway maintenance, repair, construction, and drainage improvement work on the roads in various Sanitary Districts within the County, and other County-owned property in Warren County, Virginia on June 22, 2020 (hereinafter the "Agreement"); and

WHEREAS, the Agreement was in effect for a term from July 1, 2020 through June 30, 2021 (hereinafter the "Term"); and

WHEREAS, the Owner has the option of renewing the Agreement for two (2) additional one (1) year terms.

WHEREAS, the Owner desires to extend the Agreement for one (1) additional term.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, the parties hereto mutually covenant and agree as follows:

- (1) Contract Term – The Amendment is in effect unless terminated in accordance with the terms of the Agreement from July 1, 2021 through June 30, 2022.
- (2) Renewal – The Agreement is renewable for one (1) additional term at the option of the Owner.
- (3) Rates – The following rates shall be not increase for the amended term and are attached herein.
- (4) Other Terms of the Agreement – All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereafter have made and executed this Amendment to the Agreement the day and year first written above.

Attorney

(SEAL)

County of Warren, Virginia

Attest: _____

By: _____

Type Name: _____

Type Name: _____

Title: _____

Title: _____

Date: _____

(SEAL)

General Excavation, Inc.

Attest: _____

By: _____

Type Name: _____

Type Name: _____

Title: _____

Title: _____

Date: _____

Approved as to form:

Caitlin W. Jordan
Senior Assistant County Attorney

CONTRACT FOR SERVICES

THIS CONTRACT FOR SERVICES is made and entered into this 22 day of June, 2020, by and between THE COUNTY OF WARREN, VIRGINIA, a political subdivision of the Commonwealth of Virginia, whose address is 220 N. Commerce Avenue, Suite 100, Front Royal, Virginia 22630, acting on its own behalf and on behalf of the Shenandoah Farms Sanitary District (hereinafter referred to as the "County"), and GENERAL EXCAVATION, INC., whose mailing address is 9757 Rider Road, Warrenton, Virginia 20187, and whose employers ID number is 54-1223927 (hereinafter called the "Service Provider").

WITNESSETH:

That for and in consideration of the mutual promises contained herein, the County agrees to purchase and the Service Provider agrees to provide the following described services:

The Service Provider shall provide all labor and equipment necessary on an as-needed basis, as called by the Public Works Director for the County of Warren, Virginia, for roadway maintenance, repair, construction, and drainage improvement work on the roads in various Sanitary Districts within the County, and other roadway, drainage, public works, maintenance and/or construction projects for County Departments in accordance with the specifications in the attached Invitation for Bids due May 29, 2020.

All work shall be completed in general conformance with County and Virginia Department of Transportation standards and specifications.

Construction materials including but not limited to sand, gravel, stone, asphalt, lumber, pipe, and work zone signage will be furnished by the County under separate agreements with other providers. The County may opt to use the Service Provider's equipment at the hourly rates, attached hereto, to pick up and deliver construction materials.

The County may utilize additional equipment owned by the Service Provider not listed in the attached bid proposal at agreed-upon hourly rates on an as-needed basis.

1. Place of Service Performance/Delivery: Various Sanitary Districts and County-owned property located within the County of Warren, Virginia.

2. **Time of Service Delivery:** The Service Provider will provide the Services on an as-needed basis.

3. **Term of Contract:** This Contract shall be in effect for a term of one (1) year beginning July 1, 2020, and continuing (if not otherwise terminated pursuant to the terms of this agreement) until June 30, 2021 (hereinafter the "Contract Term"). The County has the option of renewing the contract for up to two (2) additional one (1) year terms (hereinafter the "Renewal Term") upon written mutual agreement. The County shall give thirty (30) days written notice to the Services Provider before the end of the Contract Term and each Renewal Term of the County's intentions to renew the contract.

4. **Payment:** The County shall pay to the Service Provider the hourly rates attached hereto as Attachment A for equipment utilized by the Service Provider, except that mobilization costs, whether regular or emergency, shall be paid per incident. All fuel, labor costs, equipment costs, operational costs, and mobilization costs are included in the hourly rate. The Service Provider shall furnish monthly invoices to the County for services rendered if any work has been performed. The County shall forward a check to the Service Provider at the mailing address indicated above within forty-five (45) days of the receipt of such invoice.

5. **Payment of Subcontractors:** The Service Provider shall promptly pay each Subcontractor providing labor for the Work, upon receipt of payment from the County, out of the amount paid to the Service Provider on account of Subcontractor's work, the amount to which said Subcontractor is entitled, reflecting the percentage actually retained, if any, from payments to the Service Provider on account of such Subcontractor's work. The Service Provider shall, by an appropriate agreement with each Subcontractor, also require each Subcontractor to make payments to his Subcontractors in similar manner. The County has no obligation to pay or to see to the payment of any moneys to any Subcontractor except as may otherwise be required by law.

6. **Services Rendered:** Service Provider shall perform all services to be rendered pursuant to this Contract at the location specified above. Service Provider agrees to maintain all facilities and

equipment used by the Service Provider under this Contract in clean, sanitary, and safe condition and free from defects of every kind.

7. **Licenses and Permits:** Service Provider agrees that it has procured all licenses, permits, or other like permission required by law to conduct or engage in the activity provided for in this Contract; that it will procure all additional licenses, permits, or like permission required by law during the term of this Contract; and that it will keep such licenses, permits, and permissions in full force and effect during the term of this Contract.

8. **Independent Contractor:** Service Provider understands and agrees that the relationship of service provider to the County arising out of this Contract shall be that of independent contractor. It is understood that neither the Service Provider, or its staff and employees, are employees of the County and are, therefore, not entitled to any benefits provided employees of the County. Service Provider shall be responsible for reporting and accounting for all State, Federal, Social Security, and local taxes where applicable.

9. **Non-Discrimination:** During the performance of this agreement Service Provider agrees that Service Provider will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or natural origin except where religion, sex, or natural origin is a bona fide occupational qualification reasonably necessary for the normal operation of the Service Provider. Service Provider agrees to post in conspicuous places available to employees and applicants for employment notices setting forth the provisions of this non-discrimination clause. Service Provider in all solicitations or advertisements for employees placed by or on behalf of Service Provider will state that Service Provider is an equal opportunity employer. Service Provider will include the provisions of this paragraph in every sub-contract or purchase order of over \$10,000.00 so that the provisions will be binding upon each sub-contractor or vendor. **The County of Warren does not discriminate against faith-based organizations.**

10. **Drug-free Workplace.** During the performance of this contract, the Service Provider agrees to (i) provide a drug-free workplace for the Service Provider's employees; (ii) post in

conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a contractor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

11. Compliance with Immigration Laws: The Service Provider agrees and represents that it does not now, nor will it during the performance of this contract, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

12. Service Provider Authorized to Transact Business in Virginia: During the performance of this contract, the Service Provider agrees to be authorized to transact business in the Commonwealth of Virginia as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the Code of Virginia (1950), as amended, or as otherwise required by law.

13. Termination for Cause: This Contract may be terminated by the County upon ten (10) days written notice to the Service Provider to the address first named above in the event of substantial failure or default of the Service Provider to perform in accordance with the terms hereof through no fault of the County's.

14. Termination for Convenience: The obligation to provide further services under this Contract may be terminated by the County for its convenience and not for cause upon ten (10) days

written notice. Service Provider shall be compensated for work performed through the date of termination and for termination expenses, including any expenses directly attributable to termination and for which Service Provider is not otherwise compensated. Termination expenses shall not, however, include lost profits on services not performed as a result of such termination for convenience.

15. Claims and Disputes:

A. Should the Service Provider suffer injury or damage to person or property because of any act or omission of the County or of any of its employees, agents or others for whose acts either is legally liable, claim shall be made in writing to the County within seven (7) days after the first observance of such injury or damage; otherwise, the Service Provider shall have waived any and all rights he may have against the County, or its employees, representatives and agents.

B. A claim by the Service Provider shall be made in writing and submitted to the County Administrator, who shall produce his decision in writing and mail or otherwise furnish a copy thereof to the Service Provider.

C. This decision shall be final and binding unless within thirty (30) days from the date of such decision, an appeal is made to the County Board of Supervisors pursuant to Section 15.2-1246 et seq. of the Code of Virginia (1950), as amended.

16. **Notice:** Any notice which is required to be given, or which may be given under this Contract, shall be sent to those mailing addresses noted in the first paragraph of this Contract.

17. **Non-Assignability:** Service Provider understands that this Contract is a contract with the personal services of Service Provider and that it is made by the County in reliance on Service Provider's personal skills and knowledge in the activity to be conducted and as represented by Service Provider. Accordingly, this Contract is non-assignable by Service Provider without the express written advance permission of the County.

18. **Entire Contract:** This Contract constitutes the entire agreement between the parties pertaining to the subject matter of this Contract and supersedes all prior or contemporaneous

agreements and understandings of the parties in connection with the subject matter. No modification of this Contract shall be effective unless made in writing and signed by both parties.

19. **Indemnification:** Service Provider agrees to defend, indemnify and hold harmless the County for any and all actions, claims or disputes that may arise as a result of Service Provider's negligence, any sub-Service Provider's negligence and/or any joint negligence of the County, Service Provider, or sub-Service Provider.

20. **Standard of Care:** Service Provider shall perform the services herein described expeditiously and diligently and in accordance with the standard of care and skill ordinarily exercised under similar conditions by reputable members of its profession or trade practicing in the same or similar locality within the Commonwealth of Virginia existing as of the date such services are provided and in accordance with all applicable laws, codes, and regulations in effect as of the date such services are provided.

21. **Amendments:** This Agreement may be altered, modified or amended only by written instruments signed by both parties.

22. **Severability:** If any portion of this Agreement shall be adjudged as invalid or illegal, it shall be severable leaving the balance of this Agreement intact.

23. **Enforcement:** This Contract shall be governed by the laws of the State of Virginia. Any action maintained by either party for the enforcement or interpretation of the terms of this Contract shall be filed in the courts of Warren County, Virginia.

24. **Insurance and Amount of Insurance Required:**

Contractor's General Liability:	\$1,000,000 per occurrence
	\$2,000,000 aggregate
Products, Completed Operations Aggregate:	\$2,000,000
Automobile Insurance, Combined Single Limit:	\$1,000,000
Workers Comp:	Virginia statutory requirements

All policies must name Warren County, Virginia as additional insured and must contain provisions preventing cancellation, non-renewal or expiration unless written notice is given to the County at least thirty (30) days in advance.

Attachment A

Contracts/Service Contracts/Administration - 6-8-2020
Drafted by Caitlin Jordan, Assistant County Attorney

25. **Additional Terms and Conditions:** The following terms are made a part of this Contract and are incorporated herein:

A. The Contract Documents - The Contract Documents include this County of Warren Contract for Minor Construction Services, the Invitation for Bids for Hired Equipment Services due May 29, 2020, the Service Provider's Bid Form, Attachment A which includes the hourly rates, and all Modifications issued after execution of this Contract for Minor Construction Services. These documents form the Contract, and are as fully a part of the Contract as if attached to this Contract for Minor Construction Services.

IN WITNESS WHEREOF, the undersigned parties hereafter have made and executed this Contract as the day and year first above written.

(SEAL)
COUNTY OF WARREN, VIRGINIA

BY: [Signature]

Type Name: Douglas P. Stanley

Title: County Administrator

Date: 6-5-2020

Attest: [Signature]

Type Name: Emily Ciarrocchi

Title: Deputy Clerk

Date: 6/25/2020

(SEAL)
GENERAL EXCAVATION, INC.

BY: [Signature]
Rodney Jenkins, President

Type Name: Rodney Jenkins

Title: President

Date: 6-22-20

Attest: [Signature]

Type Name: Karen Jenkins

Title: Corp. Secretary

Date: 6-22-20

APPROVED AS TO FORM:

[Signature]
CAITLIN JORDAN,
ASSISTANT COUNTY ATTORNEY

6/26/20
Date

COUNTY OF WARREN, VIRGINIA
VARIOUS SANITARY DISTRICTS
Attachment A
APPLICATION FOR 2020-2021 HIRED
EQUIPMENT AND RATES LIST ATTACHMENT

Equipment With Operator	Description	Number Available	Unit Rate w/ Operator
Backhoe	Rubber Tire, Min. 60 HP w/ 18 & 24" Bucket	4	70 /hr.
Grader	Min. 24,000 lbs	3	115 /hr.
Excavator (Track)	Min. 50,000 lbs w/ 1 c.y. Bucket	4	115 /hr.
Excavator (Track)	Min. 35,000 lbs w/ 3/4 c.y. Bucket	3	100 /hr.
Loader (Track)	Min. 110 HP w/ min 2 c.y. Bucket	2	90 /hr.
Dozer (Track)	Min. 90 HP	4	95 /hr.
Backhoe w/Hyd. Breaker (hoeram)	up to 1200 ft. lbs.	1	80 /hr.
Excavator w/Hyd. Breaker (hoeram)	over 1200 ft. lbs.	1	175 /hr.
Steel Wheel Roller	Min. 6 ton vibratory	4	60 /hr.
Trench Roller (Rammax Type)	Min. 3000 lbs	4	40 /hr.
Vibratory Rammer (Wacker Type)	Min. 600 blows/Min.	6	45 /hr.
Rubber Tire Loader	Min. 2 1/2 C.Y. Bucket	3	100 /hr.
Air Comperssor w/ jackhammer	Min. 365 CFM/Min. 1250 bmp	2	65 /hr.
Pavement/concrete saw	Handheld type	6	40 /hr.
Skid Steer Loader	Min. 40 HP	4	60 /hr.
Single Axle Duptruck	Min. 28,000 GVW	4	65 /hr.
Tandem Axle Dumptruck	Min. 50,000 GVW	6	75 /hr.
Tandem Axle Dumptruck (Rock Bed)	Min. 50,000 GVW	2	80 /hr.
Tractor with Lowboy	Min. 35 ton	2	125 /hr.
Water Truck	Min. 1,000 Gal Tank w/ Min. 2" Pump	4	60 /hr.
Water Pump	Min 4" w/ hose	2	50 /hr.
Flagger	VDOT certified Flagperson	12	34 /hr.
Laborer	General Laborer for Handwork	12	34 /hr.
Chainsaw	Min. 16" bar	6	45 /hr.
Brush Chipper	Min. 12" infeed capacity	NO BID	NO BID
Tractor with Boom Mower	Rotary Side Mount (roadside trimming)	NO BID	NO BID
Tractor with Sickle Bar Mower	Min. 40 HP W/Min. 6' bar	NO BID	NO BID
Grass Trimmer (Weedeater)	Gas Powered Handwork	NO BID	NO BID
Regular Mobilization	1 per call out within 48 hr. of notification		400/ea.
Emergency Mobilization	1 per call out within 8 hr. of notification		500/ea.
Additional Equipment			
Type of Equipment	Model Number/Description	Number	Rate
Foreman with Truck		4	75 /hr.
Horizontal Grinder	CBI 4800 Magnum Force Grinder	1	350/hr.
Vacuum Truck w/ 2 Operators	VAC-CON MODEL V311LXHAE	1	290/hr.

Contractor/Representative's Name: Rodney Jenkins, President

Date: 05/29/2020

Contractor/Representative's Signature: _____



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE
6/1/2021	N-4	Resolution by the Warren County Board of Supervisors: Honoring Joseph Warren, a True Son of Liberty and Revolutionary War Hero, Physician and Major-General; and Namesake of Warren County, Virginia	1 of 1

EXPLANATION & SUMMARY:

At its regular meeting of June 7, 2016, the Board of Supervisors approved a request from a local citizen and patriot preacher, Mr. Larry Johnson for County staff to develop a commemorative event and informational materials to remember the Revolutionary War Major General and Physician Joseph Warren who was the namesake of Warren County. County Staff was tasked to research and initiate an educational related project and came up with the idea of using interpretive panels to tell Dr. Warren's story. These panels have since been installed though out the school system and public facilities that serves the County citizens, one of which is located just outside of the Government Center Board room.

Since that time the County has annually held an event during the first week in June with members of the Col. James Wood II Chapter of the Virginia Society of Sons of the American Revolution (VA-SAR), Warren County Supervisors and other local dignitaries. Typically a color guard presents the colors and arms prior to the pledge of allegiance, a prayer for our nation, and brief speeches by the president of the VA-SAR, (Interim County Administrator, and Chairman of the Board of Supervisors. The reenactors will then fire a musket salute and play taps prior to the lowering of the American, Virginia State and Warren County flags to half-staff. The flags remain at half-staff for the following week to honor Dr. Warren's date of birth on June 11th, 1741 to the date of his martyrdom on June 17th, 1775 at the Battle of Bunker Hill (AKA Breed's Hill).

Please see attached resolution.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the attached resolution to honor the memory of Dr. and Major General Joseph Warren, esteemed namesake of Warren County.

SUBMITTED BY:

Matt Wendling, CFM
Deputy Planning Director

DISPOSITION OF BOARD:

☐

APPROVED

☐

OTHER (Describe)

PROCESSED BY:

RESOLUTION



*of the Board of Supervisors of Warren County Honoring the Memory of the
Esteemed Namesake of Warren County: Revolutionary Soldier, Physician
and Major General Dr. Joseph Warren*

WHEREAS, Dr. Joseph Warren on the week of the anniversary of his birth on June 11, 1741 to the date of his death, he gave his last full measure of devotion to the cause of American Independence as a Major General and volunteer soldier in the Battle of Bunker Hill (also known as Breed's Hill) on June 17, 1775; and

WHEREAS, Dr. Joseph Warren in 1774 served as President of the revolutionary Massachusetts Bay Provincial Congress, advocating on behalf of the interests of the Colonies while under the rule of Britain and one of the leaders later to be known as the Sons of Liberty; and

WHEREAS, Dr. Joseph Warren was the Chairman of the Suffolk Convention and co-author of the "Suffolk Resolves", a radical set of 19 resolutions in response to the British Parliaments "Intolerable Acts of 1774", leading John Adams of Massachusetts to pronounce, *"This was one of the happiest days of my life. In Congress we had generous, noble sentiments, and manly eloquence. This day convinced me that America will support Massachusetts or perish with her"*; and

WHEREAS, Dr. Joseph Warren as a patriot and fiery orator from 1772 to 1775 gave his famous speech on "Orations Commemorating the Boston Massacre" and on April 18th, 1775, dispatched patriots William Dawes and Paul Revere on their famous "midnight rides" to warn of the advance of British troops on Lexington and Concord; and

WHEREAS, Dr. Joseph Warren as a 34-year old doctor and citizen patriot was appointed as a Major General by the Massachusetts Provincial Congress on June 14, 1775, days prior to the Battle of Bunker Hill. Here he chose to fight as a volunteer private against the wishes of General Israel Putnum and Col. William Prescott and, where arriving at the forefront on the most intense fighting on Breed's Hill, was identified by a British officer and at close range mortally wounded by a musket ball to the head, his body later stripped, bayoneted, and decapitated. His remains were identified in 1776 in the first known case of post-mortem forensics using the analysis of the dental work (a bridge) that his friend, dentist, and fellow patriot Paul Revere constructed for him; and

WHEREAS, Dr. Joseph Warren, a physician, soldier, mason, politician, and patriot, thus became an early martyr of the American Revolution, forever endearing himself for the cause of liberty and freedom; and

WHEREAS, the Virginia General Assembly, in forming the County on March 9, 1836, bestowed the name of **Warren** to honor this great American Founding Father and his sacrifice in the fight for America's Independence.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Supervisors hereby reaffirms the dates of June 11th through June 17th, the dates of **Dr. Warren's** birth and death, as a time of remembrance by flying the County flag at half-staff during those days at all County facilities; and

BE IT FINALLY RESOLVED that Warren County Public Schools continues to commemorate the life and contributions of **Dr. Joseph Warren** with curriculum and instruction to tell his story in honor of and appreciation for his fight for liberty and freedom on behalf of his generation and the future generations of all Americans and the citizens of **Warren County**, which proudly bears his name.

Adopted: **June 1, 2021**

Cheryl Cullers, Chair
Warren County Board of Supervisors

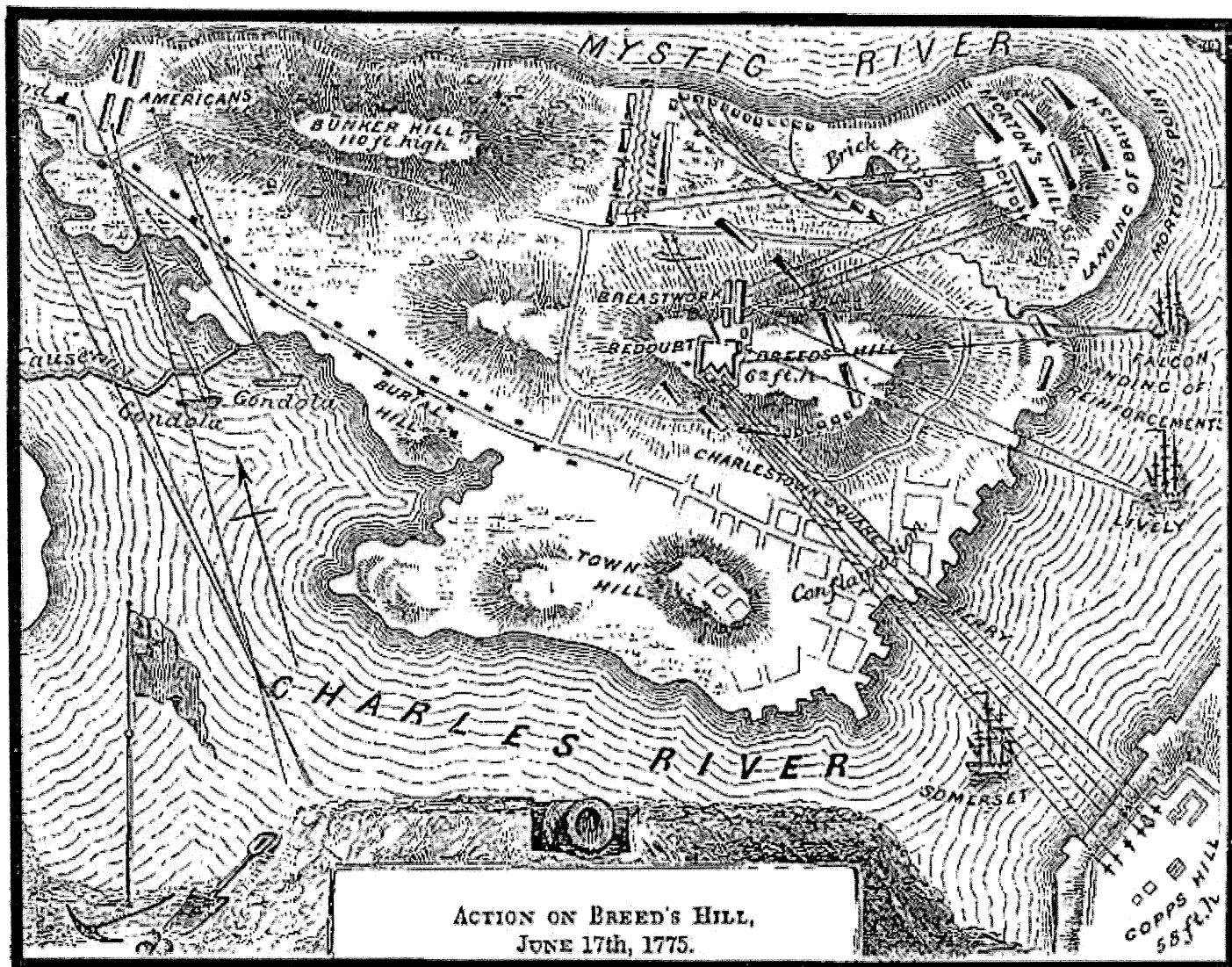
ATTEST:

Dr. Edwin C. Daley
County Administrator



Major General Warren

J. Norman & Co





WARREN'S VISIT TO HIS SERVICES TO THE ARMY OF THE NORTH BEFORE THE BATTLE OF REDBANK HILL

Taylor
N. Y. PUBLIC LIBRARY
ASTOR LENOX AND TILDEN FOUNDATION
1900

The Death of General Warren at the Battle of Bunker's Hill, June 17, 1775

The Death of General Warren at the Battle of Bunker's Hill, June 17, 1775 refers to several oil paintings completed in the late 18th and early 19th century by the American artist John Trumbull depicting the death of Joseph Warren at the June 17, 1775, Battle of Bunker Hill, during the American Revolutionary War. Warren, an influential Massachusetts physician and politician, had been commissioned as a general but he served in the battle as a volunteer private. He was killed during or shortly after the storming of the redoubt atop Breed's Hill by British troops.

The paintings are iconic images of the American Revolution. Trumbull painted several versions, including the one held by the Museum of Fine Arts, Boston (dated between 1815 and 1831). This was commissioned by the Warren family and passed down through the family before being acquired by the museum.^[1] Another, larger version (dated 1834) is held by the Wadsworth Atheneum in Hartford, Connecticut.^[2] Trumbull sold the engraving rights for both this painting and *The Death of General Montgomery in the Attack on Quebec, December 31, 1775*, which resulted in a highly successful subscription release that greatly enhanced his career.

Contents

- Event
- Description
- People depicted
 - British soldiers
 - Colonists
- References
- External links

Event

Artist John Trumbull (1756–1843) was in the colonial army camp at Roxbury, Massachusetts on June 17, 1775, the day of the Battle of Bunker Hill. He watched the battle

The Death of General Warren at the Battle of Bunker's Hill, June 17, 1775.



Artist	<u>John Trumbull</u>
Medium	<u>oil on canvas</u>
Dimensions	184.2 cm × 274.5 cm (72.5 in × 108.1 in)
Location	<u>Wadsworth Atheneum, Hartford, Connecticut</u>

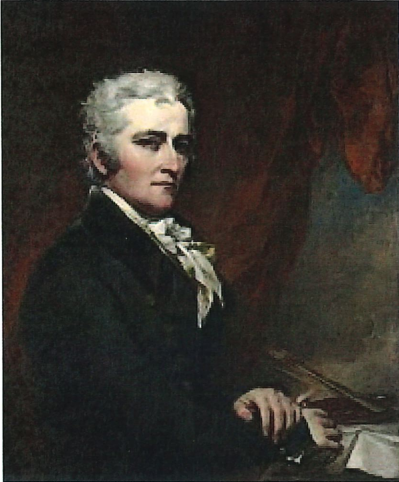
The Death of General Warren at the Battle of Bunker's Hill, June 17, 1775



Artist	<u>John Trumbull</u>
Medium	<u>oil on canvas</u>
Dimensions	50.16 cm × 75.56 cm (19¾ in × 29¾ in)
Location	<u>Museum of Fine Arts, Boston, Massachusetts</u>

unfold through field glasses, and later decided to depict one of its central events.^[3] Joseph Warren, a Massachusetts politician and member of the colony's Committee of Safety, volunteered to serve under Colonel William Prescott in the defense of the redoubt which the colonists had constructed on top of Breed's Hill. This redoubt was the target of three British attacks, of which the first two were repulsed. The third attack succeeded, in part because the defenders had run out of ammunition. Warren was struck by a musket or pistol ball during the evacuation of the redoubt, and killed instantly.

Description



Self-portrait of Trumbull

The central focus of the painting is Warren's body, dressed in white, and John Small, a British major, dressed in a scarlet uniform (holding a sword in his left hand).^[4] Small, who had served with colonial general Israel Putnam during the French and Indian War, is shown preventing a fellow British soldier from bayoneting Warren. Trumbull wanted to express the poignancy in the conflict of men who had earlier served together.

On the far right of the painting is a colonial officer, Thomas Grosvenor, with a black man holding a musket behind him. The black man was long thought to be Peter Salem, a freed slave who served in the cause of American independence. Later research identified him as a slave belonging to Grosvenor.^[3]

The foreground is littered with bodies from both sides of the conflict, and the background includes clusters of colonial and British troops carrying flags. Boston Harbor is also visible in the distance. The sky is partially obscured by smoke rising from Charlestown, which had been torched by the British.

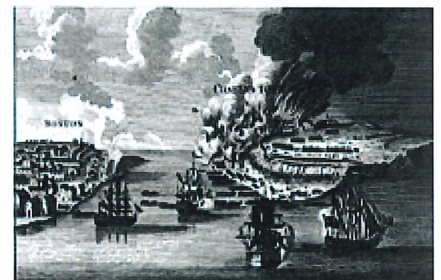
In describing the painting for a catalogue of his works, Trumbull explained why he chose to emphasize the British Major Small's role, saying that Small, whom he had met in London, "was equally distinguished by acts of humanity and kindness to his enemies, as by bravery and fidelity to the cause he served."^[5]

People depicted

British soldiers

- Major John Small, the redcoated British soldier stepping over a fallen redcoat soldier to hold back the bayonet of a fellow soldier
- Major John Pitcairn, falling back dying in his son's (Lieutenant Pitcairn's) arms
- General Henry Clinton, bare-headed British officer with raised sword at the rear, center of the painting
- General William Howe, standing to the left of Clinton from the viewer's point of view with his sword pointing forward.
- Lord Rawdon, then a lieutenant, holds the British colour, center-right in the painting

External video



 [Lecture 8, John Trumbull and Historical Fiction: The Battle of Bunker's Hill, June 17, 1775 \(1786\)](https://www.youtube.com/watch?v=DkVDDn8ghKk)
(<https://www.youtube.com/watch?v=DkVDDn8ghKk>), 56 minutes, Yale University Courses, [Yale University](#)

- Lieutenant Colonel James Abercrombie, the redcoat soldier laying dead underneath John Small and at General Warren's feet.

Colonists

- Joseph Warren
- Thomas Grosvenor, soldier to the far right
- An African-American slave of Grosvenor, shown behind the officer ^[3]
- Major Andrew McClary^[6]
- A black freeman, possibly Peter Salem, head visible below the flags on the left side of the painting
- General Israel Putnam, colonial officer on the far left of the painting
- Thomas Knowlton, standing over Warren and holding a musket
- Lieutenant-Colonel Moses Parker of Chelmsford is depicted sitting wounded to the left of Warren
- Colonel Thomas Gardner lying on ground lower right.^[7] Both Gardner and Parker were taken prisoner, and both died in early July in Boston.
- Colonel William Prescott, who allegedly ordered his soldiers not to fire until "you see the whites of their eyes".^[8]

References

Notes

1. "The Death of General Warren at the Battle of Bunker's Hill, 17 June, 1775" (<http://www.mfa.org/collections/object/the-death-of-general-warren-at-the-battle-of-bunker-s-hill-17-june-1775-34260>). *Museum of Fine Arts, Boston*.
2. "The Death of General Warren at the Battle of Bunker's Hill, June 17, 1775" (<http://www.pubhist.com/w13399>). *pubhist.com*.
3. Tamarkin, p. 137
4. "Key to the Battle of Bunker's Hill" (<http://www.americanrevolution.org/bunkey.html>). *americanrevolution.org*. Retrieved 13 July 2012.
5. Tamarkin, p. 134
6. "The Battle of Bunker's Hill, June 17th 1775" (<https://www.loc.gov/item/2014645332/>). Library of Congress. Retrieved May 9, 2016.
7. *Sons of the American Revolution Magazine*, Jan. 1969
8. *Museum of Fine Arts Boston*

Sources

- Tamarkin, Elisa (2008). *Anglophilia: deference, devotion, and antebellum America*. University of Chicago Press. ISBN 978-0-226-78944-6.
- Masur, Louis P. "Pictures Have Now Become a Necessity": The Use of Images in American History Textbooks." *The Journal of American History*, March 1998, pp. 1409–24.

External links

- Blog on the forensics of Warren's death (<http://www.derekbeck.com/1775/info/death-of-warren/>)

Battle of Bunker Hill as You Have Never Seen It – 1/4



in [about Warren](#)

Source: 19c engraving

Commentary: Jonathan Trumbull's *Death of Major General Joseph Warren at the Battle of Bunker's Hill, June 17, 1775* is an iconic image of the Revolutionary War. Among the handful of historical genre paintings most frequently appearing in history texts on the period, Trumbull's *Bunker Hill*, as it is now most frequently known, is the oldest of them. Trumbull first publicly displayed the work in 1786. Artist-authorized engravings in black and white were sold by Trumbull, and pirated by others, from 1798 onward. The heroic battlefield death of Dr. Joseph Warren, an incident mourned nationally during the Revolutionary War and for several generations afterward, is the central vignette of Trumbull's painting.

Additional artists during the 19th century focused on the Battle of Bunker Hill as a subject showcasing their historical genre artistry. Their works sometimes included Warren's demise as a central subject; others included his demise, as if obligated to do so, but de-emphasize it in their composition; others delete it entirely.

I believe that today's posted image has appeared only once and has been virtually lost thereafter. The image will be new to modern readers interested in Bunker Hill, Dr. Joseph Warren, and the Revolutionary War. Do return in future weeks for several more images of this nature.

Battle of Bunker Hill as You Have Never Seen It – 3 / 4



in [about Warren](#)

Source: 19c engraving

Commentary: Among the handful of historical genre paintings most frequently appearing in history texts on the period, Trumbull's *Bunker Hill*, as it is now most frequently known, is the oldest of them. The heroic battlefield death of Dr. Joseph Warren, an incident mourned nationally during the Revolutionary War and for several generations afterward, is the central vignette of Trumbull's painting.

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This engraving is notable in several respects. It provides a realistic perspective from the vantage point of the rail fence as American militiamen observe the British infantry gathering for an assault. Off to the right is Breed's Hill, scene of the climax of the battle. In the further distance is Charlestown ablaze, and a British warship firing on the American positions. I speculate that the artist must have visited the battlefield, then only partly urbanized during the nineteenth century, when sketching geographic features of the battlefield as they may actually have appeared to participants during the battle on June 17, 1775. Col. Knowlton was one of the officers commanding troops at the rail fence. Inclusion of recognizably Afro-American militiamen reflects the reality of the battle, though participation of Black Americans in the conflict was often omitted in 19th century depictions. Less realistic elements include officers in uniform (there weren't any formal uniforms at that juncture), flying of a Pine Tree flag at the rail fence (it remains unclear whether any flags were carried by Americans during the battle), and a mounted horseman (I don't recall any accounts of mounted officers, or anyone else for that matter, on the battlefield).

➤ The first known case of post-mortem in dental forensics was reported in 1776. Paul Revere, a dentist, verified the death of his friend Dr. Joseph Warren in battle of Breed's Hill when he identified the bridge that he constructed for Warren.

➤ Frenchman Nicolas Dubois de Chemant received the first patent for porcelain teeth in 1789





top 20 quotes

May Our Land be a Land of Liberty: 1772 Oration Highlights



in [by Warren](#), [top 20 quotes](#)

Date: March 5, 1772 “May we ever be a people favoured of GOD. May our land be a land of liberty, the seat of virtue, the asylum of the oppressed, a name and a praise in the whole earth.” “In young and new formed communities...the motives which urged to the social compact, cannot be at [...]

Tagged as: [by Warren 1772](#), [High Son of Liberty](#), [Top 20 Quotes](#)

If her Merchants Offer to Sell us, her Mechanics Will Forbid the Auction

in [by Warren](#), [top 20 quotes](#)

Date: June 15, 1774 “If the timidity of some and the treachery of others in this town do not ruin us, I think we shall be saved. I fear New York will not assist us with a very good grace; but she may perhaps be ashamed to desert us: at least, if her MERCHANTS offer [...]

Tagged as: [by Warren 1774](#), [High Son of Liberty](#), [Top 20 Quotes](#)

Our Country is in Danger, but Not to be Despaired of: 1775 Oration Highlights

in [by Warren](#), [top 20 quotes](#)

Date: March 6, 1775 “The tools of power, in every age, have racked their inventions to justify the few in sporting with the happiness of the many; and, having found their sophistry too weak to hold mankind in bondage, have impiously dared to force religion, the daughter of the king of heaven, to become a [...]

Tagged as: [by Warren 1775](#), [Top 20 Quotes](#)

American Representation is a Shadow, Not a Substance

in [by Warren](#), [top 20 quotes](#)

Date: August 15, 1774 “[T]he present American representation is a shadow, and not a substance; and I am certain, that, unless it is put upon a better footing, the people themselves will, in a few years, readily consent to

throw off the useless burthen.” Source: Letter to Samuel Adams

Tagged as: [by Warren 1774](#), [High Son of Liberty](#)

To be Regardless of Your Country's Interest

in [by Warren](#), [top 20 quotes](#)

Author: B.W., a pseudonym Date: October 7, 1765 “Time is not I trust yet come that Indolence has so enervated your Powers, that you will neither bestir yourselves to promote its [Liberty's] Interests, nor make a stand, when oppression, like Poverty, invades as an armed Man...” “Not to feel for public Calamities – to be [...]

Tagged as: [by Warren 1765-1770](#), [Patriotism's Spark](#)

The United Voice of America

in [by Warren](#), [top 20 quotes](#)

Date: November 11, 1774 “It is the united voice of America to preserve their freedom, or lose their lives in defence of it. Their resolutions are not the effect of inconsiderate rashness, but the sound result of sober inquiry and deliberation. I am convinced, that the true spirit of liberty was never so universally diffused [...]

Tagged as: [by Warren 1774](#), [High Son of Liberty](#), [Top 20 Quotes](#)

Defend and Preserve Those Civil and Religious Rights and Liberties

in [by Warren](#), [top 20 quotes](#)

Date: September 9, 1774 “That it is an indispensable duty which we owe to God, our country, ourselves, and posterity, by all lawful ways and means in our power, to maintain, defend, and preserve those civil and religious rights and liberties for which many of our fathers fought, bled, and died, and to hand them [...]

Tagged as: [by Warren 1774](#)

So Cruel a Yoke

in [by Warren](#), [top 20 quotes](#)

Date: March 19, 1766 “[I]t is absurd to attempt to impose so cruel a yoke on a people who are so near to the state of original equality, and who look upon their liberties not merely as arbitrary grants, but as their unalienable eternal rights, purchased by the blood and treasure of their ancestors; which [...]

Tagged as: [by Warren 1765-1770](#), [Patriotism's Spark](#)

Defiance to the Founder of Their Faith: more 1775 Oration Highlights

in [by Warren](#), [top 20 quotes](#)

Date: March 6, 1775 “[P]rinces, honoured with the name of Christian, might bid defiance to the founder of their faith, might pillage Pagan countries and deluge them with blood, only because they boasted themselves to be the disciples of that teacher who strictly charged his followers to do to others as they would that others [...]

Tagged as: [by Warren 1775](#), [Citizen Soldier](#), [Top 20 Quotes](#)

When Liberty is the Prize

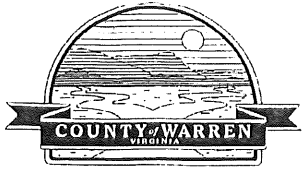
in [by Warren](#), [top 20 quotes](#)

Date: August 24, 1774 “When liberty is the prize, who would shun the warfare? Who would stoop to waste a coward thought on life? We esteem no sacrifice too great, no conflict too severe, to redeem our inestimable rights and privileges.” Source: Letter to Patriots in Stonington, Connecticut

Tagged as: [by Warren 1774](#), [Citizen Soldier](#)



BUNKER HILL MONUMENT - BUNKER HILL DAY CELEBRATION BETWEEN 1890-1901



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF 1
June 1, 2021	N-5	Acceptance of Grant Funding from the Federal Aviation Administration Airport Coronavirus Response Grant Program	1 of 27

EXPLANATION & SUMMARY:

On June 23, 2020, the Board authorized the acceptance of grant funds in the amount of \$30,000 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (H.R. 748, Public Law 116-136), which was signed into law by the President on March 27, 2020. These funds were awarded as economic relief to eligible U.S. airports affected by the prevention of, preparation for, and response to the COVID-19 pandemic. The CARES Act provided funds to increase the federal share to 100 percent for Airport Improvement Program (AIP) and supplemental discretionary grants already planned for fiscal year 2020.

On May 13, 2021, the U.S. Department of Transportation Federal Aviation Administration provided the Front Royal-Warren County Airport a second grant offer under the Airport Coronavirus Response Grant Program (ACRGP) with a maximum obligation of the FAA of \$13,000. See the attached CRRSA Transmittal Letter dated May 13, 2021. This funding may be used to reimburse costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments. This funding may be used from the date the grant offer is formally accepted and fully executed until the end of four (4) years (namely 1,460 calendar days) from the date of acceptance.

To properly enter into the agreement, Warren County must do all of the following:

1. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
2. The sponsor's authorize representative must execute the grant, followed by the attorney's certification, no later than June 13, 2021, in order for the grant to be valid.
3. Warren County cannot make any modification to the text, terms or conditions of the grant offer.
4. The grant offer must be electronically signed by the sponsor's legal signatory authority and then the grant offer will be routed via email to the sponsor's attorney. Once the attorney has electronically attested to the grant, an email with the executed grant will be sent to all parties.

A copy of the ACRGP Grant Agreement has been attached for your review.

COST & FINANCING:

If Warren County accepts the ACRGP Grant Offer, there will be no local funding required.

CONSENT AGENDA MOTION:

I move that the Board of Supervisors accept the Airport Coronavirus Response Grant Program Offer in the amount of \$13,000.00 to reimburse costs associated with airport expenses as set forth in the Grant Agreement. I further move that the Board provide signatory authority to the County Administrator so that he can execute the grant before it is sent to the Senior Assistant County Attorney to be attested.

OR

I move that the Board of Supervisors postpone this item for further discussion until _____.

SUBMITTED BY: Caitlin W. Jordan, Sr. Asst. County Attorney and Mike Berry, Director of Public Works	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
---	---	----------------------



U.S. Department
of Transportation
Federal Aviation
Administration

Airports Division
Eastern Region
District of Columbia, Maryland, Virginia

FAA WAS ADO
13873 Park Center Road
Suite 490S
Herndon, VA 20171

CRRSA Transmittal Letter

May 13, 2021

Mr. Edwin Daley, Interim County Administrator
Warren County
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Dear Mr. Daley:

Please find the following electronic Airport Coronavirus Response Grant Program (ACRGP) Grant Offer, Grant No. 3-51-0019-020-2021 for Front Royal-Warren County Airport. This letter outlines expectations for success. Please read and follow the instructions carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, no later than **June 13, 2021** in order for the grant to be valid.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. The grant offer must be digitally signed by the sponsor's legal signatory authority and then the grant offer will be routed via email to the sponsor's attorney. Once the attorney has digitally attested to the grant, an email with the executed grant will be sent to all parties.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System. The terms and conditions of this agreement require you drawdown and expend these funds within four years.

An airport sponsor may use these funds for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments. Please refer to the [ACRGP Frequently Asked Questions](#) for further information.

With each payment request you are required to upload an invoice summary directly to Delphi. The invoice summary should include enough detail to permit FAA to verify compliance with the Coronavirus Response and Relief Supplemental Appropriations Act (Public Law 116-260).

For the final payment request, in addition to the requirement listed above for all payment requests, you are required to upload directly to Delphi:

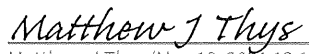
- A final financial report summarizing all of the costs incurred and reimbursed, and
- An SF-425, and.
- A closeout report (A sample report is available [here](#)).

Until the grant is completed and closed, you are responsible for submitting a signed/dated SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open).

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

I am readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts.

Sincerely,


Matthew J Thys (May 18, 2021 13:19 EDT)

Matthew J. Thys, Manager

Washington ADO

[ADO has discretion to delegate signature authority to Program Manager]



U.S. Department
of Transportation
Federal Aviation
Administration

AIRPORT CORONAVIRUS RELIEF GRANT PROGRAM (ACRGP)

GRANT AGREEMENT

Part I - Offer

Federal Award Offer Date May 13, 2021

Airport/Planning Area Front Royal-Warren County Airport

ACRGP Grant Number 3-51-0019-020-2021

Unique Entity Identifier 077404804

TO: County of Warren
(herein called the "Sponsor")

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA an Airports Coronavirus Response Grant Program (herein called "ACRGP") Application dated February 24, 2021, for a grant of Federal funds at or associated with the Front Royal-Warren County Airport, which is included as part of this ACRGP Grant Agreement; and

WHEREAS, the Sponsor has accepted the terms of FAA's ACRGP Grant offer;

WHEREAS, in consideration of the promises, representations and assurances provided by the Sponsor, the FAA has approved the ACRGP Application for the Front Royal-Warren County Airport, (herein called the "Grant" or "ACRGP Grant") consisting of the following:

This ACRGP Grant is provided in accordance with the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA Act or "the Act"), Division M of Public Law 116-260, as described below, to provide eligible Sponsors with funding for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments. ACRGP Grant amounts to specific airports are derived by legislative formula (See Division M, Title IV of the Act).

The purpose of this ACRGP Grant is to prevent, prepare for, and respond to coronavirus. Funds provided under this ACRGP Grant Agreement must only be used for purposes directly related to the airport. Such purposes can include the reimbursement of an airport's operational and maintenance expenses or debt service payments in accordance with the limitations prescribed in the Act. ACRGP Grants may be used to

reimburse airport operational and maintenance expenses directly related to Front Royal-Warren County incurred no earlier than January 20, 2020. ACRGP Grants also may be used to reimburse a Sponsor's payment of debt service where such payments occur on or after December 27, 2020. Funds provided under this ACRGP Grant Agreement will be governed by the same principles that govern "airport revenue." New airport development projects not directly related to combating the spread of pathogens and approved by the FAA for such purposes, may not be funded with this Grant.

NOW THEREFORE, in accordance with the applicable provisions of the CRRSA Act, Public Law 116-260, the representations contained in the Grant Application, and in consideration of (a) the Sponsor's acceptance of this Offer; and, (b) the benefits to accrue to the United States and the public from the accomplishment of the Grant and in compliance with the conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay 100% percent of the allowable costs incurred as a result of and in accordance with this Grant Agreement.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$13,000, allocated as follows:
 - \$13,000 Non Primary KU2021
2. **Grant Performance.** This ACRGP Grant Agreement is subject to the following federal award requirements:
 - a. The Period of Performance:
 1. Shall start on the date the Sponsor formally accepts this agreement, and is the date signed by the last Sponsor signatory to the agreement. The end date of the period of performance is 4 years (1,460 calendar days) from the date of acceptance. The period of performance end date shall not affect, relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of this Grant Agreement.
 2. Means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. (2 Code of Federal Regulations (CFR) § 200.1)
 - b. The Budget Period:
 1. The budget period for this ACRGP Grant is 4 years (1,460 calendar days). Pursuant to 2 CFR § 200.403(h), the Sponsor may charge to the Grant only allowable costs incurred during the budget period.
 2. Means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which the Sponsor is authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to §200.308.
 - c. Close out and Termination.
 1. Unless the FAA authorizes a written extension, the Sponsor must submit all Grant closeout documentation and liquidate (pay-off) all obligations incurred under this award no later

than 120 calendar days after the end date of the period of performance. If the Sponsor does not submit all required closeout documentation within this time period, the FAA will proceed to close out the grant within one year of the period of performance end date with the information available at the end of 120 days. (2 CFR § 200.344)

2. The FAA may terminate this ACRGP Grant, in whole or in part, in accordance with the conditions set forth in 2 CFR § 200.340, or other Federal regulatory or statutory authorities as applicable.
3. **Unallowable Costs.** The Sponsor shall not seek reimbursement for any costs that the FAA has determined to be unallowable under the CRRSA Act.
4. **Indirect Costs - Sponsor.** The Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the Grant Application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages only.
5. **Final Federal Share of Costs.** The United States' share of allowable Grant costs is 100%.
6. **Completing the Grant without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the Grant without undue delays and in accordance with this ACRGP Grant Agreement, the CRRSA Act, and the regulations, policies, standards, and procedures of the Secretary of Transportation ("Secretary"). Pursuant to 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from funding eligible expenses under the Grant that exceeds three months or a 25 percent reduction in time devoted to the Grant, and request prior approval from FAA. The report must include a reason for the stoppage. The Sponsor agrees to comply with the attached assurances, which are part of this agreement and any addendum that may be attached hereto at a later date by mutual consent.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs unless this offer has been accepted by the Sponsor on or before June 13, 2021, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner, including uses that violate this ACRGP Grant Agreement, the CRRSA Act or other provision of applicable law. For the purposes of this ACRGP Grant Agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement(s). The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or relate to this ACRGP Grant Agreement, including, but not limited to, any action taken by a Sponsor related to or arising from, directly or indirectly, this ACRGP Grant Agreement.

11. System for Award Management (SAM) Registration and Unique Entity Identifier (UEI).

- a. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
- b. Unique entity identifier (UEI) means a 12-character alpha-numeric value used to identify a specific commercial, nonprofit or governmental entity. A UEI may be obtained from SAM.gov at <https://sam.gov/SAM/pages/public/index.jsf>.

12. Electronic Grant Payment(s). Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi Invoicing System for Department of Transportation (DOT) Financial Assistance Awardees.

13. Air and Water Quality. The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.

14. Financial Reporting and Payment Requirements. The Sponsor will comply with all Federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.

15. Buy American. Unless otherwise approved in advance by the FAA, in accordance with 49 United States Code (U.S.C.) § 50101 the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured goods produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.

16. Audits for Sponsors.

PUBLIC SPONSORS. The Sponsor must provide for a Single Audit or program-specific audit in accordance with 2 CFR Part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Upon request of the FAA, the Sponsor shall provide one copy of the completed audit to the FAA.

17. Suspension or Debarment. When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:

- a. Verify the non-Federal entity is eligible to participate in this Federal program by:
 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-Federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-Federal entity attesting the entity is not excluded or disqualified from participating; or
 3. Adding a clause or condition to covered transactions attesting the individual or firm is not excluded or disqualified from participating.

- b. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. sub-contracts).
- c. Immediately disclose to the FAA whenever the Sponsor (1) learns the Sponsor has entered into a covered transaction with an ineligible entity, or (2) suspends or debar a contractor, person, or entity.

18. Ban on Texting While Driving.

- a. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to this ACRGP Grant or subgrant funded by this Grant.
 - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - A. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - B. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- b. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts, and subcontracts funded by this ACRGP Grant.

19. Trafficking in Persons.

- a. You as the recipient, your employees, subrecipients under this ACRGP Grant, and subrecipients' employees may not –
 - 1. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - 2. Procure a commercial sex act during the period of time that the award is in effect; or
 - 3. Use forced labor in the performance of the award or subawards under the ACRGP Grant.
- b. The FAA as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity –
 - 1. Is determined to have violated a prohibition in paragraph A of this ACRGP Grant Agreement term; or
 - 2. Has an employee who is determined by the agency official authorized to terminate the ACRGP Grant Agreement to have violated a prohibition in paragraph A.1 of this ACRGP Grant term through conduct that is either –
 - A. Associated with performance under this ACRGP grant; or
 - B. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by the FAA at 2 CFR Part 1200.

- c. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph A during this ACRGP Grant Agreement.
- d. Our right to terminate unilaterally that is described in paragraph A of this section:
 - 1. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7104(g)), and
 - 2. Is in addition to all other remedies for noncompliance that are available to the FAA under this ACRGP Grant.

20. Employee Protection from Reprisal.

a. Prohibition of Reprisals —

- 1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
 - a. Gross mismanagement of a Federal grant;
 - b. Gross waste of Federal funds;
 - c. An abuse of authority relating to implementation or use of Federal funds;
 - d. A substantial and specific danger to public health or safety; or
 - e. A violation of law, rule, or regulation related to a Federal grant.
- 2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
 - a. A member of Congress or a representative of a committee of Congress;
 - b. An Inspector General;
 - c. The Government Accountability Office;
 - d. A Federal office or employee responsible for oversight of a grant program;
 - e. A court or grand jury;
 - f. A management office of the grantee or subgrantee; or
 - g. A Federal or State regulatory enforcement agency.
- 3. Submission of Complaint — A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this ACRGP Grant Agreement may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
- 4. Time Limitation for Submittal of a Complaint — A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
- 5. Required Actions of the Inspector General — Actions, limitations, and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b).
- 6. Assumption of Rights to Civil Remedy — Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).

- 21. **Limitations.** Nothing provided herein shall be construed to limit, cancel, annul, or modify the terms of any Federal grant agreement(s), including all terms and assurances related thereto, that have been entered into by the Sponsor and the FAA prior to the date of this ACRGP Grant Agreement.

22. **Face Coverings Policy.** The sponsor agrees to implement a face-covering (mask) policy to combat the spread of pathogens. This policy must include a requirement that all persons wear a mask, in accordance with Centers for Disease Control (CDC) and Transportation Security Administration (TSA) requirements, as applicable, at all times while in all public areas of the airport property, except to the extent exempted under those requirements. This special condition requires the airport sponsor continue to require masks until Executive Order 13998, Promoting COVID-19 Safety in Domestic and International Travel, is no longer effective.

SPECIAL CONDITIONS FOR USE OF ACRGP FUNDS

CONDITIONS FOR ROLLING STOCK/EQUIPMENT -

1. **Equipment or Vehicle Replacement.** The Sponsor agrees that when using funds provided by this grant to replace equipment, the proceeds from the trade-in or sale of such replaced equipment shall be classified and used as airport revenue.
2. **Equipment Acquisition.** The Sponsor agrees that for any equipment acquired with funds provided by this grant, such equipment shall be used solely for purposes directly related to the airport.
3. **Low Emission Systems.** The Sponsor agrees that vehicles and equipment acquired with funds provided in this grant:
 - a. Will be maintained and used at the airport for which they were purchased; and
 - b. Will not be transferred, relocated, or used at another airport without the advance consent of the FAA.

The Sponsor further agrees that it will maintain annual records on individual vehicles and equipment, project expenditures, cost effectiveness, and emission reductions.

CONDITIONS FOR UTILITIES AND LAND -

4. **Utilities Proration.** For purposes of computing the United States' share of the allowable airport operations and maintenance costs, the allowable cost of utilities incurred by the Sponsor to operate and maintain airport(s) included in the Grant must not exceed the percent attributable to the capital or operating costs of the airport.
5. **Utility Relocation in Grant.** The Sponsor understands and agrees that:
 - a. The United States will not participate in the cost of any utility relocation unless and until the Sponsor has submitted evidence satisfactory to the FAA that the Sponsor is legally responsible for payment of such costs;
 - b. FAA participation is limited to those utilities located on-airport or off-airport only where the Sponsor has an easement for the utility; and
 - c. The utilities must serve a purpose directly related to the Airport.
6. **Land Acquisition.** Where funds provided for by this grant are used to acquire land, the Sponsor shall record the grant agreement, including the grant assurances and any and all related requirements, encumbrances, and restrictions that shall apply to such land, in the public land records of the jurisdiction in which the land is located.

The Sponsor's acceptance of this Offer and ratification and adoption of the ACRGP Grant Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor. The Offer and Acceptance shall comprise an ACRGP Grant Agreement, as provided by the CRRSA Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to this Grant. The effective date of this ACRGP Grant Agreement is the date of the Sponsor's acceptance of this Offer.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

Dated May 18, 2021

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

Matthew J Thys

Matthew J Thys (May 18, 2021 13:19 EDT)

(Signature)

Matthew J. Thys

(Typed Name)

Manager, Washington Airports District Office

(Title of FAA Official)

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the ACRGP Grant Application and incorporated materials referred to in the foregoing Offer under Part I of this ACRGP Grant Agreement, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the ACRGP Grant Application and all applicable terms and conditions provided for in the CRRSA Act and other applicable provisions of Federal law.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

I declare under penalty of perjury that the foregoing is true and correct. ¹

Dated _____

County of Warren

(Name of Sponsor)

(Signature of Sponsor's Designative Official/Representative)

By: _____

(Type Name of Sponsor's Designative Official/Representative)

Title: _____

(Title of Sponsor's Designative Official/Representative)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Virginia. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the CRRSA Act. The Sponsor understands funding made available under this Grant Agreement may only be used to reimburse for airport operational and maintenance expenses, and debt service payments. The Sponsor further understands it may submit a separate request to use funds for new airport/project development purposes, subject to additional terms, conditions, and assurances. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

Dated at _____

By: _____

(Signature of Sponsor's Attorney)

AIRPORT CORONAVIRUS RELIEF GRANT PROGRAM (ACRGP) ASSURANCES

AIRPORT SPONSORS

A. General.

1. These Airport Coronavirus Relief Grant Program (ACRGP) Assurances are required to be submitted as part of the application by sponsors requesting funds under the provisions of the Coronavirus Response and Relief Supplemental Appropriations Act of 2020 (CRRSA Act or "the Act"), Public Law 116-260. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
2. Upon acceptance of this ACRGP Grant offer by the sponsor, these assurances are incorporated into and become part of this ACRGP Grant Agreement.

B. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this ACRGP Grant that:

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this ACRGP Grant including but not limited to the following:

FEDERAL LEGISLATION

- a. 49 U.S.C. Chapter 471, as applicable
- b. Davis-Bacon Act — 40 U.S.C. 276(a), et. seq.
- c. Federal Fair Labor Standards Act — 29 U.S.C. 201, et. seq.
- d. Hatch Act — 5 U.S.C. 1501, et. seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et. seq.
- f. National Historic Preservation Act of 1966 — Section 106 — 16 U.S.C. 470(f).
- g. Archeological and Historic Preservation Act of 1974 — 16 U.S.C. 469 through 469c.
- h. Native Americans Grave Repatriation Act — 25 U.S.C. Section 3001, et. seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 — Section 102(a) — 42 U.S.C. 4012a.
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f)).
- m. Rehabilitation Act of 1973 — 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).

- p. Age Discrimination Act of 1975 — 42 U.S.C. 6101, et. seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 — 42 U.S.C. 4151, et. seq.
- s. Power plant and Industrial Fuel Use Act of 1978 — Section 403- 2 U.S.C. 8373.
- t. Contract Work Hours and Safety Standards Act — 40 U.S.C. 327, et. seq.
- u. Copeland Anti-kickback Act — 18 U.S.C. 874.1.
- v. National Environmental Policy Act of 1969 — 42 U.S.C. 4321, et. seq.
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 — 31 U.S.C. 7501, et. seq. ²
- y. Drug-Free Workplace Act of 1988 — 41 U.S.C. 702 through 706.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity
- b. Executive Order 11990 – Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction
- f. Executive Order 12898 – Environmental Justice
- g. Executive Order 14005 – Ensuring the Future Is Made in All of America by All of America's Workers.

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. ^{3,4}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 28 CFR Part 35 – Discrimination on the Basis of Disability in State and Local Government Services.
- e. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- f. 29 CFR Part 1 – Procedures for predetermination of wage rates. ¹
- g. 29 CFR Part 3 – Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States. ¹

- h. 29 CFR Part 5 – Labor standards provisions applicable to contracts covering Federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act). ¹
- i. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally assisted contracting requirements). ¹
- j. 49 CFR Part 20 – New restrictions on lobbying.
- k. 49 CFR Part 21 – Nondiscrimination in Federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- l. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- m. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Program.
- n. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance. ¹
- o. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- p. 49 CFR Part 30 – Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- q. 49 CFR Part 32 – Government-wide Requirements for Drug-Free Workplace (Financial Assistance).
- r. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- s. 49 CFR Part 41 – Seismic safety of Federal and Federally assisted or regulated new building construction.

FOOTNOTES TO ASSURANCE ACRGP ASSURANCE B.1.

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ Cost principles established in 2 CFR Part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses
- ⁴ Audit requirements established in 2 CFR Part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations, or circulars are incorporated by reference in this Grant Agreement.

1. Purpose Directly Related to the Airport

It certifies that the reimbursement sought is for a purpose directly related to the airport.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed grant; that an official decision has been made by the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing

and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. **Private Sponsor:**

It has legal authority to apply for this Grant and to finance and carry out the proposed Grant and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Good Title.

It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

4. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish, or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with this Grant Agreement.
- c. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations, and the terms and conditions of this Grant Agreement.

5. Consistency with Local Plans.

Any project undertaken by this Grant Agreement is reasonably consistent with plans (existing at the time of submission of the ACGRP application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

6. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where any project undertaken by this Grant Agreement may be located.

7. Consultation with Users.

In making a decision to undertake any airport development project undertaken by this Grant Agreement, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

8. Pavement Preventative Maintenance.

With respect to a project undertaken by this Grant Agreement for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed, or repaired with Federal financial assistance at the airport, including ACRGP funds provided under this Grant Agreement. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

9. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all Grant accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the Grant in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the Grant supplied by other sources, and such other financial records pertinent to the Grant. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a Grant or relating to the Grant in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

10. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

11. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

12. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and

operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

1. Operating the airport's aeronautical facilities whenever required;
 2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 3. Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

13. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

14. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

15. Exclusive Rights.

The sponsor shall not grant an exclusive right to use an air navigation facility on which this Grant has been expended. However, providing services at an airport by only one fixed-based operator is not an exclusive right if—

- a. it is unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide the services; and
- b. allowing more than one fixed-based operator to provide the services requires a reduction in space leased under an agreement existing on September 3, 1982, between the operator and the airport.

16. Airport Revenues.

- a. This Grant shall be available for any purpose for which airport revenues may lawfully be used to prevent, prepare for, and respond to coronavirus. Funds provided under this ACRGP Grant Agreement will only be expended for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport(s) subject to this agreement and all applicable addendums for costs related to

operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments as prescribed in the Act

- b. For airport development, 49 U.S.C. § 47133 applies.

17. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

18. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

19. Airport Layout Plan.

- a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:
 - 1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 - 3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
 - 4. all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan

as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

- b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

20. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR Part 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
 - 1. Programs and Activities. If the sponsor has received a grant (or other Federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities
 - 2. Facilities. Where it receives a grant or other Federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 - 3. Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.
- c. Duration

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

 - 1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 - 2. So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language

It will include the following notification in all solicitations for bids, Requests for Proposals for work, or material under this Grant and in all proposals for agreements, including airport concessions, regardless of funding source:

“The County of Warren, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

e. Required Contract Provisions.

1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT Acts and regulations.
2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - A. For the subsequent transfer of real property acquired or improved under the applicable activity, grant, or program; and
 - B. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, grant, or program.
 - C. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
 - D. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

21. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any activity that uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

22. Policies, Standards and Specifications.

It will carry out any project funded under an Airport Coronavirus Relief Program Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, current FAA Advisory Circulars for AIP projects, as of February 24, 2021, included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

23. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

24. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

25. Acquisition Thresholds.

The FAA deems equipment to mean tangible personal property having a useful life greater than one year and a per-unit acquisition cost equal to or greater than \$5,000. Procurements by micro-purchase means the acquisition of goods or services for which the aggregate dollar amount does not exceed \$10,000, unless authorized in accordance with 2 CFR § 200.320. Procurement by small purchase procedures means those relatively simple and informal procurement methods for securing goods or services that do not exceed the \$250,000 threshold for simplified acquisitions.

Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

View the most current Series 150 Advisory Circulars (ACs) for Airport Projects at
http://www.faa.gov/airports/resources/advisory_circulars and
http://www.faa.gov/regulations_policies/advisory_circulars

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

FRR

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: County of Warren, Virginia

* b. Employer/Taxpayer Identification Number (EIN/TIN):

54-6001661

* c. Organizational DUNS:

0774048040000

d. Address:

* Street1: 220 North Commerce Ave.

Street2:

* City: Front Royal

County/Parish:

Warren

* State:

VA: Virginia

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code: 22630-4403

e. Organizational Unit:

Department Name:

Division Name:

Front Royal-Warren County Airport

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

Michael

Middle Name:

R.

* Last Name:

Berry

Suffix:

Title: Public Works Director

Organizational Affiliation:

* Telephone Number: 540-636-1543

Fax Number: 540-636-1544

* Email: mberry@warrencountyva.net

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

*** 12. Funding Opportunity Number:**

* Title:

Coronavirus Response and Relief Supplemental Appropriations Act
Airport Coronavirus Response Grant Program

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

\$13,000.00 for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport and debt service payments.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts If needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	13,000.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	13,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

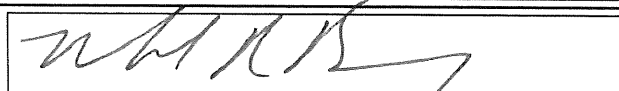
Middle Name:

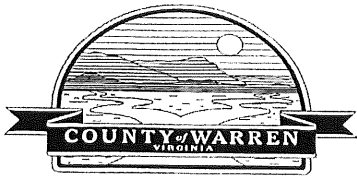
* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email:

* Signature of Authorized Representative:

* Date Signed:



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 06/01/2021	ITEM N-6	SUBJECT: Request for Festival Permit Warren County Fair Association <i>Warren County Fair</i>
<u>EXPLANATION & SUMMARY:</u> Attached is the festival application from the Warren County Fair Association requesting the Board's approval for the Warren County Fair to be held on August 1, 2021 - August 7, 2021 at the Fairgrounds located at 26 Fairground Road, Front Royal, VA 22630. The festival will be held from 4:00 PM - 11:00 PM each day and from 2:00 PM - 11:00 PM on Saturday. The maximum number of people expected per day is 1,500 to 2,500. The fair will be featuring Monster Trucks, a local band, Truck & Tractor Pull, Diesel Drags, and two nights of Demolition Derby events. A request for comments has been sent to VDOT, Fire & Rescue, the Sheriff's Department, and the Building Inspections Department. All comments will be provided to the event coordinator and have been attached to this report.		
<u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors approve the festival permit request of the Warren County Fair Association for the Warren County Fair to be held from August 1-7, 2021 at 26 Fairground Road. OR I move that the Board of Supervisors deny the festival permit request of the Warren County Fair Association for the Warren County Fair to be held from August 1-7, 2021 at 26 Fairground Road. (List Reasons)		
SUBMITTED BY: Joe Petty,  Planning Director	DISPOSITION OF COMMISSION: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:

**APPLICATION FOR PERMIT TO HOLD
MUSICAL OR ENTERTAINMENT FESTIVALS**

The following conditions must be met and the following plans, statements and approvals must be submitted to the Warren County Administrator's Office with the application at least twenty-one (21) days before the planned date of such festival.

Applicant Information

Name of Applicant: Warren County Fair Association Robbin Lloyd

Address of Applicant: P.O. Box 1555 540-551-0368

City: Front Royal State: VA Zip Code: 22630

Home Phone #: 540-635-5827 Work Phone #: _____

Email Address: wcfair@comcast.net

Name of Organization/Promoter(s): Warren County Fair

Address of Organization/Promoter(s): P.O. Box 1555

City: Front Royal State: VA Zip Code: 22630

Festival Information

Name of Festival: Warren County Fair (63) years

Festival Location: 26 Fairgrounds Road Front Royal, Va

Name of property owner(s): Warren County Fair Association

Address of property owner(s): 26 Fairgrounds Road Front Royal, VA

Date(s) of Festival: Aug 1 – Aug 7, 2021

Time(s) of Festival: 4pm – 11pm Sat 2pm – 11pm

Admission Charge (dollars): \$10 Adults, Children 7 – 12, \$5, 6 & under, free

Maximum number of tickets offered per day: Average 11,000 per week

Number of people expected per day: 1,500 – 2,500

List names of performers or groups who will perform at the festival:

- (1) Monster Trucks
- (2) Local Band
- (3) Demolition Derby 2 Nights
- (4) Truck & Tractor Pull
- (5) Diesel Drags

Additional Instructions

- 1) Attach a copy of the ticket or badge of admission for the festival, containing the date(s) and time(s) of such festival (may be marked as "sample").

2) Provide a plan for adequate sanitation facilities and garbage, trash and sewage disposal which complies with all applicable state and local laws and provide evidence of approval by the Warren County Department of Health.

Utilize D & M Container for trash removal.
Metal & plastic trash cans cleaned daily
Johnny Blue Cleans daily
Will follow any/all state guidelines due to COVID-19

3) Provide a plan for providing food, water and lodging which complies with all applicable state and local laws and provide evidence of approval by the Warren County Department of Health.

Food provided by 10 – 15 vendors. All stands are registered with the Health Department and will be inspected on site by the Warren County Health Dept. prior to opening night.

4) Provide a plan for adequate medical facilities which complies with all applicable state and local laws and provide evidence of approval by the County Fire Chief and local fire and rescue company.

North Warren Fire Dept has equipment on site daily

5) Provide a plan for adequate fire protection which complies with all applicable state and local laws and provide evidence of approval by the County Fire Chief and local fire and rescue company.

North Warren Fire Dept has equipment on site daily
Have inspected Fire Extinguishers on every building

6) Provide a plan for adequate parking and traffic control in and around the festival area.

We contract Stephens City Fire Dept to manage our parking.
Sheriffs Dept & State Police are notified

7) Provide a plan for any outdoor lighting that will be used at the festival. In addition, please describe what steps will be taken or devices used to shield nearby properties from unreasonable glow or glare.

Fairgrounds has numerous light poles around the grounds. Lights are set to not glare into any nearby homes or businesses.

8) State whether alcoholic beverages will be served. If yes, please provide details on how it will be controlled (Note: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required).

One person will check ID's and sell tickets. Beer sales will be each night. Barricades will be installed around the beer purchase and consumption area. No one is allowed outside of the boundaries.

9) State whether any temporary structures will be used (i.e. tents, etc.). If yes, please provide details on the type and size of the temporary structure (Note: Any temporary structure over 900 sq. ft. will require a permit from Warren County Building Inspections, as well as evidence that the temporary structure is composed of properly fire treated material).

Have 2 tents, but not over 900 square feet
May rent a larger tent, TBD later this summer

10) State whether any type of amusement device will be used. If yes, please provide details on such device(s) (Note: Warren County Building Inspections must be contacted by the applicant to determine whether or not a building permit will be required).

Snyder's Amusements

Sheriff's Dept will be notified of event and will be on site throughout the week.

General Regulations

4) The Warren County Board of Supervisors shall have the right to revoke any permit issued under this ordinance upon non-compliance with any of its provisions and conditions.

____Robbin L. Lloyd, Treas. Warren County Fair____
Applicant's Signature

4/17/2021
Date

Permit _____ Approved _____ Denied by Warren County Board of Supervisors on _____

Comments: _____

County Administrator

Date _____

3



WARREN COUNTY SHERIFF'S OFFICE

200 Skyline Vista Drive, Front Royal, Virginia 22630

(540) 635-4128

(540) 636-4950 (Fax)

www.warrencountysheriff.org

Mark A. Butler, Sheriff

MEMORANDIUM FOR RECORD

DATE: April 29, 2021

TO: Joe Petty, Zoning Administrator

FROM: Robert C. Mumaw, Captain

SUBJECT: Warren County Fair Association

Warren County Sheriff's Office has no concerns with the permit submitted by the Warren County Fair association. We see no adverse effects on public health and safety, response to emergencies at the Fairgrounds will remain the same as past years. An Event Threat Matrix was done and falls into the (medium) scoring, which means effects felt but not critical. The Warren County Fair Association is a well-organized group that works well the Sheriff's Office and puts safety of its volunteers and the community first.

A handwritten signature in black ink, appearing to read "R.C. Mumaw", written over a horizontal line.

Robert C. Mumaw

Operations Captain

Warren County Sheriff's Office
Event Threat Matrix

COPY

General Risk Evaluation Table

RISK FACTOR	1 LOW	2 MEDIUM	3 HIGH	4 EXTREME	SCORE
EVENT AND ACTIVITY INFORMATION					
TYPE	Planned Events	Planned Events	Planned Events	Unplanned Events	1
	Community and Family Based	Sporting Events Runs/walks Concerts	Rallies Demonstrations Protests	Any Spontaneous Event	
DURATION	Up to 3 Hours	Up to 10 Hours	Up to 24 Hours	Over 24 Hours	4
INFRASTRUCTURE AND EQUIPMENT	No Structures, Low to the ground such as tables, chairs	Soft structures such as small or moderate sized tents	Hard, Tall or Heavy Structures (stages), Power Cables and electrical equipment	Uncontrolled or non-permitted structures and equipment	3
ALCOHOL	None	Confined, Controlled, Limited Access	Uncontrolled, Unconfined, Moderate to high use	Excessive use, Uncontrolled, Unconfined, Movement through public areas	1
CRIMINAL ACTIVITY	None expected	Potential law / ordinance infractions	Criminal acts, Minor property damage, Potential assaults	Life/safety issues, Excessive property damage	1
VENUE					
TYPE	Parks and public spaces that are not confined	Buildings or parks with controlled or confined spaces (plazas, theaters)	Buildings with uncontrolled access	Streets	1
ROUTE SAFETY	Paths and sidewalks, No police assistance needed	Planned street route with some traffic control and signage	Un-escorted, Un-marked with no police or safety controls	Varied route, Un-planned, Uncontrolled, Interacts with other users	1

LOW-LITTLE TO NO EFFECT//**MEDIUM**-EFFECTS FELT BUT NOT CRITICAL
HIGH-SERIOUS IMPACT//**EXTREME**-COULD RESULT IN DISASTER

Warren County Sheriff's Office
Event Threat Matrix

RISK FACTOR	1 LOW	2 MEDIUM	3 HIGH	4 EXTREME	SCORE
ORGANIZATION AND PLANNING					
ORGANIZERS	Well-organized, Compliant, Experienced	New group, May be inexperienced	History of uncooperative behavior, Non-payment	Defiant, Violent	1
EVENT HISTORY	No problems, No police interventions	Minor incidents, Minimal police interventions	Major incidents, Arrests / charges, Some impacts on town/city services	Critical upset to town/city services, History of violence	1
EVENT PLANNING	Maximum preparation time	Limited preparation time	Minimal preparation time	No preparation time	1
SECURITY	None needed or trained and in sufficient numbers	Needed, Limited training, Volunteers, Insufficient numbers	Needed, No training, Insufficient numbers	No security	1
EMERGENCY RESPONSE PLANNING	Have emergency response plans including medical, security, evacuation, and communications	Adequate emergency response plans and warning/notification systems	Inadequate emergency response plans and/or warning/notification systems	No emergency response plans and/or warning notification systems	1
CROWD ASSESSMENT					
CROWD TYPE	Family, Corporate, Business, Elderly	Young Adults, Persons of interest	Disruptive, Rebellious, Criminal	Radical	1
CROWD SIZE AND CAPACITY	Small size, High capacity venue for size of crowd	Moderate numbers, Up to maximum capacity of venue	Large numbers, Exceeds capacity	Critical density, Uncontrolled venue	1
CROWD DYNAMICS	Calm, Cooperative, Peaceful	Celebratory	Anxious, Aggressive	Violent	1
CROWD ASSESSMENT					
TIME, DAY, SEASON	Weekday	Weekend or weekday evening	Friday or Saturday evening, or other in region during periods of strained servicing capacity	Periods of strained emergency capacity (weekend evening, holiday, other major events, times of high alcohol consumption)	2

Warren County Fair Association

ADD TOTAL SCORE	22
(1-16 LOW) (17-32 MEDIUM) (33-48 HIGH) (49-64 EXTREME) RISK LEVEL	MED

LOW-LITTLE TO NO EFFECT//MEDIUM-EFFECTS FELT BUT NOT CRITICAL
HIGH-SERIOUS IMPACT//EXTREME-COULD RESULT IN DISASTER

Joe Petty

To: Taryn Logan
Subject: RE: Warren- Rte.661- 2021 Warren County Fair

From: Arthur Boyce <bobby.boyce@vdot.virginia.gov>
Sent: Thursday, May 13, 2021 10:26 AM
To: Taryn Logan <Tlogan@warrencountyva.net>
Cc: Rhonda Funkhouser <Rhonda.Funkhouser@vdot.virginia.gov>
Subject: Warren- Rte.661- 2021 Warren County Fair

COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION
Staunton/Edinburg Land Development
14031 Old Valley Pike
Edinburg, VA 22824

Dear Ms. Logan:

We have reviewed the above subject Warren County Fair event application for August 2-7, 2021. We have no overall objections to the proposed event but offer the following comments and recommendations:

- Vehicles entering the fairgrounds need to be shuttled off State Route 661 as quickly as possible to prevent backups on Route 661 or Route 340/522. Patrons of the fairgrounds should always be parked first then pay, as opposed to taking up money from vehicles at the gate which may cause stacking onto the VDOT roadways.
- If traffic safety issues begin to be a problem in the future, VDOT may require the fairgrounds to install turn lanes and/or close or upgrade entrances at their expense. The western entrance closest to US Route 340/522 doesn't meet minimum spacing requirements from the signal and is our primary concern.
- Any necessary flagging on the State's roadways should be performed by uniformed law enforcement officers.

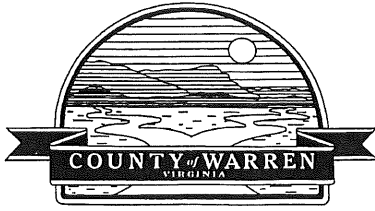
We appreciate the opportunity to provide comments on this event. If you have any questions, please do not hesitate to give me a call.

Sincerely,

Bobby Boyce

VDOT- Land Development Engineer
Shenandoah, Frederick, Clarke, & Warren Counties
14031 Old Valley Pike
Edinburg, VA 22824
(540) 534-3211

COUNTY OF WARREN



Building Inspections Office
Warren County Government Center
220 North Commerce Avenue, Suite 400
Front Royal, Virginia 22630

Phone: (540) 636-9973

FAX: (540) 636-4698

Email: dbeahm@warrencountyva.net

David C. Beahm
Building Official

BOARD OF SUPERVISORS

CHAIR

Cheryl L. Cullers
*South River
District*

VICE CHAIR

Archie A. Fox
*Fork
District*

Tony F. Carter
*Happy Creek
District*

Walter J. Mabe
*Shenandoah
District*

Delores R. Oates
*North River
District*

Edwin Daley
Interim
County Administrator

Comments – Fair Permit – Warren County Fair:

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.
- Building Inspections Items:
 - The applicant has identified that the tents they intend to use are less than 900 square feet in size and these would not require a permit.
 - The applicant has identified that Inners Amusements will be responsible for obtaining the required permits and inspections prior to operating the rides the public.

If anything should change in the scope, additional requirements may be required.

COUNTY OF WARREN

Department of Fire & Rescue Services

200 Skyline Vista Drive, Suite 200

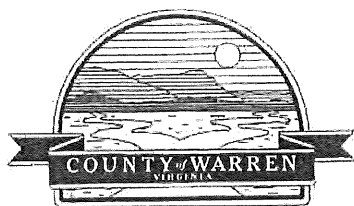
Front Royal, Virginia 22630

Phone: (540) 636-3830

Fax: (540) 636-9986

Email: jbonzano@warrencountyfire.com

James G. Bonzano, II
Fire Chief



Memorandum

BOARD OF SUPERVISORS

CHAIR
Cheryl L. Cullers
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District

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Happy Creek
District

Delores R. Oates
North River
District

Walter J. Mabe
Shenandoah
District

Dr. Edwin Daley
Interim
County Administrator

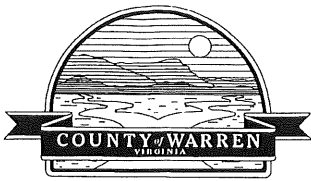
TO: Joe Petty, Planning and Zoning Administrator
FROM: Gerry R. Maiatico, Fire Marshal
DATE: May 17, 2021
SUBJECT: Request for Comments – Fair Association

The Department of Fire and Rescue Services has reviewed the application for Permit to Hold Musical or Entertainment Festivals as submitted by the Warren County Fair Association dated 4/17/2021 and offer the following comments:

1. All Mobile Food Preparation Vehicles (food trucks, concession trailers and/or stands) as shall meet the requirements of Section 319 of the Virginia Statewide Fire Prevention Code (SFPC) and shall be subject to inspection by the Fire Marshal's Office.
2. If attendance is anticipated to exceed 1,000 persons at any time, Section 403.12.3-403.12.3.3 of the SFPC shall be met.

Additionally, the coverage of fire and EMS protection of the requirements for #5 in the application packet shall be approved by the Office of the Fire Chief. Chief Bonzano will work with the leadership of North Warren VFD to determine the coverage and staffing schedule.

Should you require any additional information, please let me know.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF 1
June 1, 2021	N-7	Authorization to Advertise for Public Hearing – Proposed Secondary Six-year Plan for FY 2022-2027 and 2022 Construction Budget	

EXPLANATION & SUMMARY:

The Board has discussed the proposed Secondary Six-Year Plan for Fiscal Year 2022-2027 at several work sessions, and a copy of the proposed Plan is attached.

COST & FINANCING: N/A

CONSENT AGENDA MOTION:

I move that the Board of Supervisors authorize the advertisement of a joint public hearing of the Board of Supervisors and Virginia Department of Transportation to hear public comment on the proposed Secondary Six-Year Plan for FY 2022-2027 and 2022 Construction Budget to be held on June 15, 2021.

SUBMITTED BY:	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)	PROCESSED BY:
Edwin C. Daley, Interim County Administrator		

Secondary System
Warren County
Construction Program
Estimated Allocations

Fund	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	Total
CTB Formula - Unpaved State	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula Secondary State	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$112,470	\$112,470	\$112,470	\$112,470	\$112,470	\$112,470	\$674,820
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP - Bond Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MG Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
District Grant - Unpaved	\$141,055	\$187,270	\$199,477	\$199,477	\$220,768	\$220,768	\$1,168,815
Total	\$253,525	\$299,740	\$311,947	\$311,947	\$333,238	\$333,238	\$1,843,635

Board Approval Date:

Residency Administrator Date

County Administrator Date

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

District: Staunton

County: Warren County

Board Approval Date:

2021-22 through 2026-27

Route PPMS ID Accomplishment	Road Name Description From To Length	Estimated Cost Ad Date	Previous Funding	Additional Funding Required	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Balance to complete	Scope of Work Comments
Rt. 624 17714 RAAP Contract	Happy Creek Road #HB2FY 17 Reconstruction ECL Front Royal Rt. 645	PE \$1,321,196 RW \$933,393 CON \$36,093.68 Total \$58,639.57	\$4,488,046	\$1,006,569	\$1,007,000	\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o added capacity
Rt. 623 104617 State Forces/ Hired Equipment	Downing Farm Road Rural Rustic Thunder Road Stoney Bottom Road	\$435,762	\$294,707	\$141,055	\$141,000	\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o added capacity
Rt. 613 104617 State Forces/ Hired Equipment	Panhandle Road Rural Rustic 1.1 Mi from Low Water Bridge 1000' from Low Water Bridge	\$355,725	\$351,456	\$4,269	\$4,000	\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o added capacity
Rt. 628 111061 State Forces/ Hired Equipment	Rocky Hollow Road Rural Rustic Rt. 613 Indian Hollow Road Rt. 629 Acorn Hill Road	\$450,000	\$250,000	\$200,000	\$38,760	\$187,000	\$13,000	\$0	\$0	\$0	\$0	Reconstruction w/o added capacity
Rt. 660 21814 State Forces/ Hired Equipment	Kendrick Ford Road Rural Rustic Rt. 621 Punch Run Road End of State Maintenance	\$216,390	\$4,000	\$212,390	\$0	\$4,111	PE \$141,055 RW \$0 CON \$141,055 Total \$177,000	\$36,000	\$0	\$0	\$0	Reconstruction w/o added capacity

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

District: Staunton

County: Warren County

Board Approval Date:

2021-22 through 2026-27

Route PPMS ID Accomplishment	Road Name Description From To Length	Estimated Cost Ad Date	Previous Funding	Additional Funding Required	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Balance to complete	Scope of Work Comments
Rt. 613 21815 State Forces/ Hired Equipment	Panhandle Road Rural Rustic Rt. 619 Mountain Road Rt. 608 Wilson Burke Road	\$160,000	\$0	\$160,000	\$0	\$0	\$10,000	\$150,000	\$0	\$0	\$0	Reconstruction w/o added capacity
Rt. 631 21816 State Forces/ Hired Equipment	William Vincent Road Rural Rustic Rt. 622 Buck Mountain Road Rt. 613 Bentonville Road	\$355,000	\$0	\$355,000	\$0	\$0	\$0	\$14,000	\$0	\$221,000	\$0	Reconstruction w/o added capacity
Rt. 4005 100215	Countywide Eng. & Survey Various Locations	\$0	\$0	\$0	\$108,000	\$112,000	\$112,000	\$112,000	\$112,000	\$112,000	\$0	Minor Survey & Preliminary Eng. For Budget Items and Incidental Type Work
117036	Additional Rural Rustic Funds	\$249,346	\$0	\$249,346	\$0	\$0	\$0	\$221,000	\$0	\$0	\$0	

Warren County

Warren County (093)

UPC	Description									
17714	#HB2.FY17 RTE 624 - RECONSTRUCTION									
0001.03	Project	0624093186		ECL FRONT ROYAL			ROUTE 645			
Previous	Budget	Projected	Total		PE	RW	CN			
\$4,488,046	\$1,006,569	\$0	\$5,494,615	Schedule:	07/31/13	07/01/19	01/12/21			
Total Estimate			\$5,863,957	Estimate:	\$1,321,196	\$933,393	\$3,609,368			
Balance:			\$369,342							
Funding Detail (in \$1000s)				Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
6011007	DGP - State			\$3,899	\$1,007	\$0	\$0	\$0	\$0	\$0
6011907	DGP - State			\$61	\$0	\$0	\$0	\$0	\$0	\$0
6030601	.Formula - Secondary :Federal/State - Warren (CNS601)			\$117	\$0	\$0	\$0	\$0	\$0	\$0
6030605	Secondary Formula - Unpaved Roads : Warren			\$51	\$0	\$0	\$0	\$0	\$0	\$0
6030606	Secondary Formula - Telecommunications : Warren			\$360	\$0	\$0	\$0	\$0	\$0	\$0
104618 Downing Farm Road - Rural Rustic										
0003.06	Project	0623093769		Thunder Road			Stoney Bottom Road			
Previous	Budget	Projected	Total		PE	RW	CN			
\$294,707	\$141,055	\$0	\$435,762	Schedule:	09/28/22		03/29/23			
Total Estimate			\$435,762	Estimate:	\$0	\$0	\$435,762			
Balance:			\$0							
Funding Detail (in \$1000s)				Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
3001500	CTB Formula: Unpaved - Warren			\$235	\$0	\$0	\$0	\$0	\$0	\$0
6030606	Secondary Formula - Telecommunications : Warren			\$59	\$0	\$0	\$0	\$0	\$0	\$0
6071700	HB2 DG: Unpaved - Warren			\$0	\$141	\$0	\$0	\$0	\$0	\$0
104617 Panhandle Rd - Rural Rustic										
0003.07	Project	0613093770		1.25 Mile from Lower Water Bridge Shenandoah River			1000' from Lower Water Bridge Shenandoah River			
Previous	Budget	Projected	Total		PE	RW	CN			
\$351,456	\$4,269	\$0	\$355,725	Schedule:	02/28/19		06/24/19			
Total Estimate			\$355,725	Estimate:	\$0	\$0	\$355,725			
Balance:			\$0							
Funding Detail (in \$1000s)				Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
3001500	CTB Formula: Unpaved - Warren			\$248	\$0	\$0	\$0	\$0	\$0	\$0
6030606	Secondary Formula - Telecommunications : Warren			\$104	\$4	\$0	\$0	\$0	\$0	\$0

Warren County

Warren County (093)

UPC	Description											
111061 Rocky Hollow Road Rd - Rural Rustic												
0003.08		Project		0628093811		Rt. 613 - Indian Hollow Road			Rt. 629 - Acorn Hill Road			
Previous		Budget		Projected		Total						
\$250,000		\$0		\$200,000		\$450,000		Schedule:		08/31/20		
Total Estimate						\$450,000		Estimate:		\$0 \$0 \$450,000		
Balance:						\$0						
Funding Detail (in \$1000s)						Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
3001500 CTB Formula: Unpaved - Warren						\$39	\$0	\$0	\$0	\$0	\$0	\$0
6071700 HB2 DG: Unpaved - Warren						\$211	\$0	\$187	\$13	\$0	\$0	\$0
116775 Cauthorn Mill Road - Rural Rustic												
0003.10		Project		0637093805		0.06 Mile North of Rt. 627			0.34 Mile North of Rt. 627			
Previous		Budget		Projected		Total						
\$38,837		\$0		\$0		\$38,837		Schedule:		05/08/20 07/24/20		
Total Estimate						\$40,000		Estimate:		\$0 \$0 \$40,000		
Balance:						\$1,163						
Funding Detail (in \$1000s)						Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
6030606 Secondary Formula - Telecommunications : Warren						\$39	\$0	\$0	\$0	\$0	\$0	\$0
116774 Kendrick Ford Road - Rural Rustic												
0003.11		Project		0660093817		Punch Run Rd. Rt. 621			End of State Maintenance			
Previous		Budget		Projected		Total						
\$4,111		\$0		\$212,279		\$216,390		Schedule:		01/16/25		
Total Estimate						\$216,390		Estimate:		\$0 \$0 \$216,390		
Balance:						\$0						
Funding Detail (in \$1000s)						Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
6071700 HB2 DG: Unpaved - Warren						\$4	\$0	\$0	\$177	\$36	\$0	\$0
116773 Panhandle Road Phase II - Rural Rustic												
0003.12		Project		0613093818		Mountain Road Rt. 619			Wilson Burke Road Rt. 608			
Previous		Budget		Projected		Total						
\$0		\$0		\$160,000		\$160,000		Schedule:		01/16/25		
Total Estimate						\$160,000		Estimate:		\$0 \$0 \$160,000		
Balance:						\$0						
Funding Detail (in \$1000s)						Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
6071700 HB2 DG: Unpaved - Warren						\$0	\$0	\$0	\$10	\$150	\$0	\$0

Warren County

Warren County (093)

UPC		Description									
116772		William Vincent Road - Rural Rustic									
0003.13		Project		0631093819		Buck Mountain Road Rt. 622			Bentonville Road Rt. 613		
Previous	Budget	Projected	Total			PE		RW		CN	
\$0	\$0	\$234,713	\$234,713		Schedule:					01/16/25	
Total Estimate			\$355,000		Estimate:	\$0		\$0		\$355,000	
Balance:			\$120,287								
Funding Detail (in \$1000s)					Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
6071700 HB2 DG: Unpaved - Warren					\$0	\$0	\$0	\$0	\$14	\$0	\$221
100215		COUNTYWIDE ENGINEERING & SURVEY									
9999.99		Budget Item	1204005		VARIOUS LOCATIONS IN COUNTY			VARIOUS LOCATIONS IN COUNTY			
Funding Detail (in \$1000s)					Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
6030606 Secondary Formula - Telecommunications : Warren					\$221	\$108	\$112	\$112	\$112	\$112	\$112
117036		FY26 Warren County Rural Rustic Roads Projects									
9999.99		Project		9999093830		Various			Various		
Previous	Budget	Projected	Total			PE		RW		CN	
\$0	\$0	\$220,768	\$220,768		Schedule:					10/07/25	
Total Estimate			\$249,346		Estimate:	\$0		\$0		\$249,346	
Balance:			\$28,578								
Funding Detail (in \$1000s)					Previous	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
6071700 HB2 DG: Unpaved - Warren					\$0	\$0	\$0	\$0	\$0	\$221	\$0

**WARREN COUNTY
SECONDARY
SYSTEM
IMPROVEMENT
PLAN
2021/22-2026/27**

April 20, 2021
Edinburg Residency



MAJOR PROJECTS

ROUTE	ROAD NAME	FROM	TO	AVERAGE DAILY TRAFFIC COUNT	DESCRIPTION OF WORK	VICINITY	ESTIMATED COST	TENTATIVE AD/START DATE	COMMENTS
624	Happy Creek Road UPC 17714	ECL Front Royal	Rt. 645	4,200	Reconstruction	E. of Front Royal	\$10,487,052	2021	Smart Scale

NEW HARDSURFACE PROJECTS-SEC FUNDS

PRIORITY	ROUTE	ROAD NAME	FROM	TO	AVERAGE DAILY TRAFFIC COUNT	LENGTH (miles)	REQUEST	FUNDING AVAILABLE	COMMENT
1)	628 UPC 20180	Rocky Hollow Lane	Rt. 613	Rt. 629	100	1.1	Rural Rustic Pave	July 2023	Dist. Grant Est. \$250,000
2)	660 T-21814	Kendrick Ford Road	Rt. 621	End State Maint.	130	0.7	Rural Rustic Pave	July 2024	Dist. Grant Est \$180,000
3)	613 T-21815	Panhandle Road II	Rt. 619	Rt. 608	220	0.5	Rural Rustic Pave	July 2024	Dist. Grant Est. \$130,000
4)	631 T-21816	William Vincent Road	Rt. 622	Rt. 613	170	1.2	Rural Rustic Pave	July 2026	Dist. Grant Est. \$318,000

QUESTIONS/COMMENTS
?



Secondary System
Warren County
Construction Program
Estimated Allocations

Fund	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	Total
CTB Formula - Unpaved State	\$153,375	\$0	\$0	\$0	\$0	\$0	\$153,375
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$79,173	\$79,173	\$79,173	\$79,173	\$79,173	\$79,173	\$475,038
Residue Parcels	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP - Bond Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MG Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BR Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
District Grant - Unpaved	\$0	\$215,351	\$141,055	\$187,270	\$199,477	\$199,477	\$942,630
Total	\$232,548	\$294,524	\$220,228	\$266,443	\$278,650	\$278,650	\$1,571,043

Board Approval Date:

Edwin Z. Cato 5-29-19

Residency Administrator

Date

Jasper R. [Signature] 5-22-19

County Administrator

Date

District: Staunton
County: Warren County
Board Approval Date:

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

2020-21 through 2024-25

Route	Road Name	Estimated Cost	Previous Funding	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Balance to complete	Traffic Count
PPMS ID	Project #											Scope of Work
Accomplishment	Description											FHWA #
Type of Funds	FROM		SSYP Funding		2019-20	2020-21	2021-22	2022-23	2023-24	2024-25		Comments
Type of Project	TO		Other Funding									
Priority #	Length	Ad Date	Total									
RL0624	MORGAN FORD ROAD	PE	\$1,452,640									1876
77272	0624093182	RW	\$165,069	\$276,511	\$0	\$0	\$0	\$0	\$0	\$0		Bridge Replacement w/o Added Capacity
RAAP CONTRACT	RTE 624 - BRIDGE & APPROACHES OVER SHENANDOAH RIVER	CON	\$7,332,790	\$8,673,988	\$0	\$0	\$0	\$0	\$0	\$0		
BR		Total	\$8,950,499	\$8,950,499	\$0	\$0	\$0	\$0	\$0	\$0	\$0	14011
Migration	0.03 Mi South of Rte 643											
0001.02	0.36 Mi North of Rte 643											
	0.4											
RL0624	HAPPY CREEK RD	PE	\$1,321,196									4200
17714	0624093186	RW	\$569,234	\$528,000	\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
RAAP CONTRACT	#HB2.FY17 RTE 624 - RECONSTRUCTION	CON	\$8,596,622	\$5,454,857	\$1,272,027	\$1,225,599	\$2,006,569	\$0	\$0	\$0		15004
STP		Total	\$10,487,952	\$5,982,857	\$1,272,027	\$1,225,599	\$2,006,569	\$0	\$0	\$0	\$0	
Migration	ECL FRONT ROYAL ROUTE 645			\$4,504,195								
0001.03	0.9											
Rt.0607	Rocky lane	PE	\$10,000									280
104624	0607093766	RW	\$0	\$147,052	\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	Rocky LN - Rural Rustic	CON	\$350,000	\$212,948	\$0	\$0	\$0	\$0	\$0	\$0		17004
	Rt 340	Total	\$360,000	\$360,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Migration	Rt 649											
0003.02	1.6											
Rt.0616	Richardson Road	PE	\$2,500									210
105006	0616093775	RW	\$0	\$45,000	\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	Richardson Road - Rural Rustic	CON	\$42,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0		17004
	Rt 610	Total	\$45,000	\$45,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Migration	River Lakes Drive											
0003.04	0.2											
RL0610	Bucks Mill Road	PE	\$2,500									450
105009	0610093774	RW	\$0	\$45,000	\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	Bucks Mill Rd - Rural Rustic	CON	\$42,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0		17004
	Rt 55	Total	\$45,000	\$45,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Migration	.05 East of Rt 616											
0003.05	0.2											

District: Staunton
County: Warren County
Board Approval Date:

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

2020-21 through 2024-25

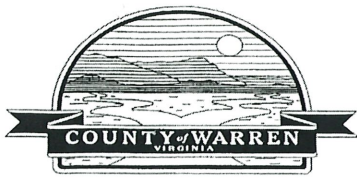
Route PPMS ID Accomplishment Type of Funds Type of Project Priority #	Road Name Project # Description FROM TO Length	Estimated Cost Ad Date	Previous Funding SSYP Funding Other Funding Total	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Balance to complete	Traffic Count Scope of Work FHWA # Comments
					2019-20	2020-21	2021-22	2022-23	2023-24	2024-25		
RL0623 104618 STATE FORCES/HIRED EQUIPMENT Migration 0003.06	Downing Farm Road 0623093769 Downing Farm Road - Rural Rustic Thunder Road Stoney Bottom Road 1.0	PE \$10,000 RW \$0 CON \$215,000 Total \$225,000	\$225,000 \$0 \$225,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	490 Reconstruction w/o Added Capacity 17004
RL0613 104617 STATE FORCES/HIRED EQUIPMENT Migration 0003.07	Panhandle Road 0613093770 Panhandle Rd - Rural Rustic 1.1 Mile from Lower Water Bridge Shenandoah River 1000' from Lower Water Bridge Shenandoah River 1.1	PE \$10,000 RW \$0 CON \$237,500 Total \$247,500	\$132,885 \$0 \$132,885	\$114,615	\$114,615	\$0	\$0	\$0	\$0	\$0	\$0	260 Reconstruction w/o Added Capacity 17004
RL0628 111061 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.08	Rocky Hollow Road 0628093811 Rocky Hollow Road Rd - Rural Rustic Rt. 613 - Indian Hollow Road Rt. 629 - Acorn Hill Road 1.1	PE \$0 RW \$0 CON \$250,000 Total \$250,000	\$0 \$0 \$0	\$250,000	\$38,760 \$0 \$38,760	\$211,240 \$0 \$211,240	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0	100 Reconstruction w/o Added Capacity 17004
RL0637 -18105 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.10	Cauthorn Mill Road 0637093805 Cauthorn Mill Road - Rural Rustic 0.06 Mile North of Rt. 627 0.62 Mile North of Rt. 627 0.6	PE \$0 RW \$0 CON \$135,000 Total \$135,000	\$0 \$0 \$0	\$135,000	\$67,500 \$0 \$67,500	\$67,500 \$0 \$67,500	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	\$0	180 Reconstruction w/o Added Capacity 17004
RL0660 -21814 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.11	Kendrick Ford Road 0660093817 Kendrick Ford Road - Rural Rustic Punch Run Rd. Rt. 621 End of State Maintenance 0.7	PE \$0 RW \$0 CON \$216,390 Total \$216,390	\$0 \$0 \$0	\$216,390	\$0 \$0 \$0	\$4,111 \$0 \$4,111	\$141,055 \$0 \$141,055	\$71,224 \$0 \$71,224	\$0 \$0 \$0	\$0 \$0 \$0	\$0	110 Reconstruction w/o Added Capacity 17004

District: Staunton
County: Warren County
Board Approval Date:

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

2020-21 through 2024-25

Route PPMS ID Accomplishment Type of Funds Type of Project Priority #	Road Name Project # Description FROM TO Length	Estimated Cost Ad Date	Previous Funding SSYP Funding Other Funding Total	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Balance to complete	Traffic Count Scope of Work FHWA # Comments
					2019-20	2020-21	2021-22	2022-23	2023-24	2024-25		
RL0613 -21815 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.12	Panhandle Road 0613093818 Panhandle Road Phase II - Rural Rustic Mountain Road Rt. 619 Wilson Burke Road Rt. 508 0.5	PE \$0 RW \$0 CON \$160,000 Total \$160,000	\$0 \$0 \$0 \$0	\$160,000	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$116,046 \$0 \$116,046	\$43,954 \$0 \$43,954	\$0 \$0 \$0 \$0	\$0	200 Reconstruction w/o Added Capacity 17004
RL0631 -21816 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0003.13	William Vincent Road 0631093819 William Vincent Road - Rural Rustic Buck Mountain Road Rt. 622 Bentonville Road Rt. 613 1.2	PE \$0 RW \$0 CON \$355,000 Total \$355,000	\$0 \$0 \$0 \$0	\$355,000	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$155,523	\$155,523 \$0 \$155,523	\$199,477 \$0 \$199,477	\$0	90 Reconstruction w/o Added Capacity 17004
RL0603 112383 STATE FORCES/HIRED EQUIPMENT State forces/Hired equip CN Only 0005.02	Oregon Hollow Road 0603093806 Oregon Hollow - High Volume Unpaved Road - Warren County Rte 643 0.74 Miles S of Rt 643 0.7	PE \$0 RW \$0 CON \$599,000 Total \$599,000	\$0 \$0 \$768,000 \$768,000	(\$169,000)	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	(\$169,000)	820 Reconstruction w/o Added Capacity 17004 Revised estimate required
RL4005 100215 NOT APPLICABLE S 9999.99	1204005 COUNTYWIDE ENGINEERING & SURVEY VARIOUS LOCATIONS IN COUNTY VARIOUS LOCATIONS IN COUNTY	PE \$0 RW \$0 CON \$250,000 Total \$250,000	\$0 \$267,516 \$0 \$267,516	(\$17,516)	\$11,673 \$0 \$11,673	\$11,673 \$0 \$11,673	\$79,173 \$0 \$79,173	\$79,173 \$0 \$79,173	\$79,173 \$0 \$79,173	\$79,173 \$0 \$79,173	(\$357,554)	0 Preliminary Engineering 17015 MINOR SURVEY & PRELIMINARY ENGINEERING FOR BUDGET ITEMS AND INCIDENTAL TYPE WORK.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE 06/01/2021	ITEM N-8	SUBJECT: Rezoning Request: R2021-04-01 Salvador & Josette Barragan <i>Residential-One (R-1) to Agricultural (A)</i>	
<u>EXPLANATION & SUMMARY:</u> See attached application and staff report.			
<u>PLANNING COMMISSION RECOMMENDATION:</u> On Wednesday, May 12, 2021, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 3-0.			
<u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors authorize the rezoning application for advertisement of a public hearing.			
SUBMITTED BY: Joseph Petty,  Planning Director		DISPOSITION OF COMMISSION: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:



Rezoning: 2021-04-01
Salvador & Josette Barragan, Current Owners/Applicants
Prepared: April 7, 2021
Staff Contact: Joseph Petty, Zoning Administrator

SUMMARY OF REQUEST

The applicants are requesting to amend the Warren County Zoning Map and rezone 1.77 acres from Residential One (R-1) to Agricultural (A). The property is located off Mint Springs Road (undeveloped road) in Front Royal, VA, and identified on tax map 28C, section 2, lot 44. The property is part of the Dungadin subdivision which was created in 1963.

The applicants are proposing the rezoning to allow them to extend their adjacent Agricultural zoning properties and use the property for Agricultural pursuits. They plan to construct a run-in shed for livestock and allow the horses access to the property which could total 17.99 acres. The property subject to the request is currently 1.77 acres, the owners submitted a boundary line adjustment on April 1, 2021 to create a 2.00 acre parcel; this shall make the property compliant with the minimum lot size required in the Agricultural District if the rezoning is approved.

The Agricultural (A) District is intended, *"for areas where general agricultural pursuits are practiced, where low density residential developments may be situated without degrading the environment and where expanses of open spaces best exist for parks, playgrounds, game preserves and similar uses."*

PROPERTY INFORMATION

Property Location: 0 Mint Springs Road
Tax Map ID: 28C-2---44
Current Zoning: Residential One (R-1)
Magisterial District: South River

City: Front Royal
Acres: 1.6704 Acres (2 Acres per BLA)
Requested Zoning: Agricultural (A)
Subdivision: Dungadin

SURROUNDING ZONING DISTRICTS & USES

North: Zoned Agricultural (A)
South: Zoned Agricultural (A)
East: Zoned Agricultural (A)
West: Zoned Residential One (R-1)

Use: Vacant Lot, Forest
Use: Single-Family Dwelling
Use: Vacant Lot, Forest
Use: Single-Family Dwelling

Cc: Salvador & Josette Barragan, Current Owners/ Applicants

ATTACHMENTS

☐ Agency Comments
☒ Location Map

☒ Application
☒ Public Comments

☐ Health Permit
☐ Submitted Plans

☒ Letter from Applicant
☒ Other: PROFFERS

110 Park Way
Front Royal, VA 22630
March 15, 2021

Warren County Zoning and Planning Department
220 North Commerce Avenue, Suite 400
Front Royal, VA 22630

Dear Warren County Board of Supervisors,

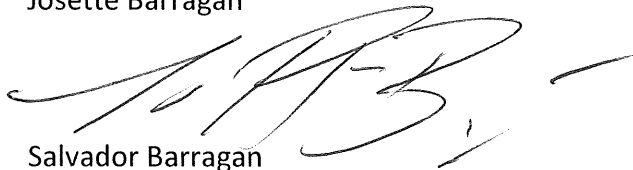
We are requesting to have our Lot Number 28C 2 44 rezoned as Agricultural. It is currently Zoned R-1. The lot adjoins our other property that is already zoned Agricultural. This particular lot is our most flat and most clear lot and we would like to use it to pasture and ride horses. Furthermore, as a consideration, the Lot has no road frontage. It is only accessible from the dirt Right-of-Way know as Mint Springs Road.

Thank you for your consideration and diligence with this request.

Sincerely,

A handwritten signature in cursive script that reads "Josette Barragan".

Josette Barragan

A handwritten signature in cursive script that reads "Salvador Barragan".

Salvador Barragan

REZONING APPLICATIONAPPLICATION NO. 2021-04-01DATE RECEIVED: 3-24-2021FEE AMOUNT: \$ 700.⁰⁰DATE PAID: 3-24-2021 #2393**Applicant:**

Name:	<u>Salvador + Josette Barragan</u>		
Address:	<u>110 Park Way</u>		
	<u>Front Royal, VA 22630</u>		
Telephone:	<u>(540) 622-2762</u>	Email:	<u>josebarragan@gmail.com</u>

Owner of Record: (if different than above; if more than one owner provide information for each on a separate page).

Name:	<u>Same as above</u>		
Address:	<u>"</u>	<u>"</u>	<u>"</u>
Telephone :	<u>()</u>	<u>"</u>	<u>"</u>

Respectfully (name above) request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a rezoning for the property described below.

Property Information:**A. Location of Property:**

Election District:	<u>South River</u>
Tax Map No.:	<u>28C 2 44</u>
Section:	<u>N/A</u>
Block:	<u>N/A</u>
Lot(s):	<u>Lot 44</u>
Subdivision Name:	<u>Dungadin</u>
Area of Property (acres):	<u>1.67 1.77</u>

B. Current land use and condition of site:

<u>Empty lot. Mostly cleared of trees. Contains overhead powerline. No current usage</u>
--

C. Zoning of surrounding land and property:

<u>R-1 on 2 sides. A on 2 sides</u>

Zoning Classification and Request:

A. Present Zoning of property: R-1

B. Proposed Zoning requested: Agricultural

Proposed Use of Property:

A. Describe the proposed use of the property, including primary and secondary uses.

We would like to use Lot 44 to pasture horses. This would include the construction of a run-in shed and fencing

Plans Prepared by:

Name: Josette + Salvador Barragan

Address: 110 Park Way

Front Royal, VA 22630

Telephone: (540) 622-2762

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for Rezoning, shall be charged to the applicant. **If the set of required documents is incomplete, your application will not be placed on the Planning Commission's agenda.**

Signature of Owner: Josette Barragan

Date: 3-15-21

Signature of Applicant: Josette Barragan

Date: 3-15-21

Signature of Co-Applicant(s): Salvador Barragan

Date: 3-15-21

For County Planning, Zoning, and Building Office use:

Date Authorized for Advertisement:

Advertising Deadline:

Building Dept. Review/Comments:

Planning/Zoning Dept. Review/Comments:

Date of Planning Commission Public Hearing:

Planning Commission Recommendation: Vote:

Planning Commission Conditions Attached to Application:

Date of Board of Supervisors Public Hearing:

Board of Supervisors Decision: Vote:

Board of Supervisors Conditions Attached to Application:

JOB SITE DIRECTIONS

Applicant: _____

Directions: _____

Taken by: _____

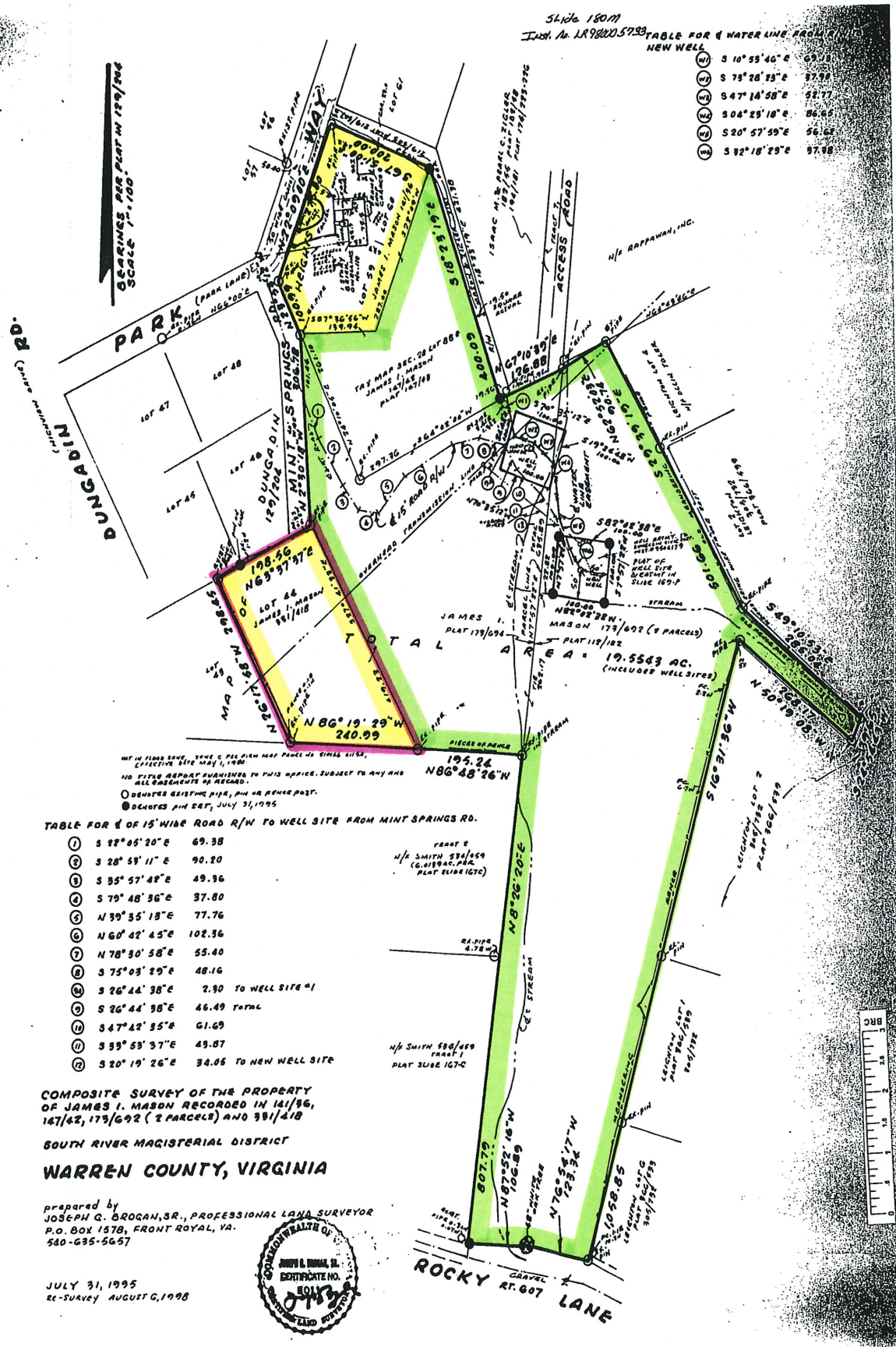
To: Warren County Zoning Department

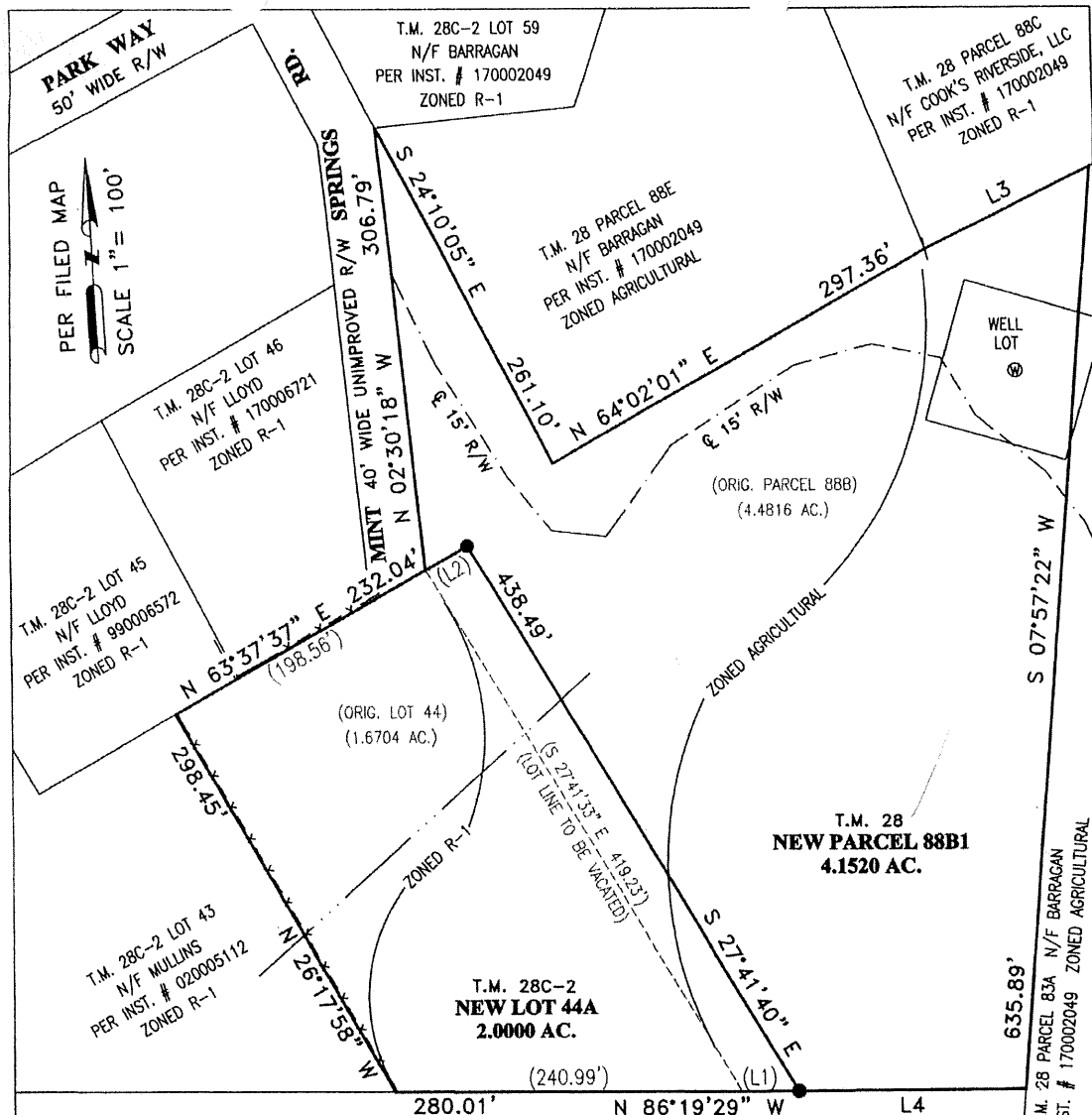
From: Josette Barragan

Re: Directions to Lot 28C 2 44

Travel South on Route 340 for approximately 2 miles south of Front Royal town. Turn Left onto Eldridge Drive. Turn Left onto Dungadin Road. Turn Left onto Park Way. Dungadin Lot 44 can be accessed from the "Mint Springs Road" Right-of-Way dirt access road from Park Way.

1 - CURRENTLY RESIDENTIAL ONE





— — — — — DENOTES OVERHEAD WIRES
 - x - x - DENOTES FENCE LINE.

LINE	BEARING	DISTANCE
L1	N 86°48'25" W	39.02'
L2	S 63°37'37" W	33.48'
L3	N 67°10'39" E	126.88'
L4	N 86°48'25" W	156.22'

T.M. 28 PARCEL 84A
 N/F COOPER
 PER INST. # 180000184
 ZONED AGRICULTURAL

AREA TABULATION	
ORIG. T.M. 28 PARCEL 88B	4.4816 AC.
ORIG. T.M. 28C-2 LOT 44	1.6704 AC.
TOTAL AREA	6.1520 AC.
NEW T.M. 28 PARCEL 88B1	4.1520 AC.
NEW T.M. 28C-2 LOT 44A	2.0000 AC.
TOTAL AREA	6.1520 AC.

REVIEWED AND CERTIFIED AS EXEMPT FROM THE
 WARREN COUNTY SUBDIVISION ORDINANCE UNDER
 SECTION 155-3B(1)(a), ALLOWING BOUNDARY LINE
 ADJUSTMENTS AND MAY BE COMMITTED TO RECORD.

Taryn G. Logan 4/7/2021
 PLANNING DIRECTOR DATE
 E-12-2021

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
 SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO: SALVADOR AND JOSETTE
 BARRAGAN PER INST. # 170002049.

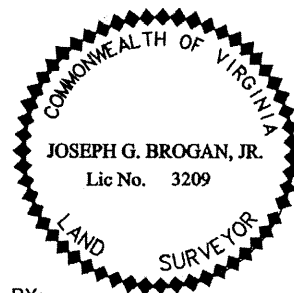
PLAT REF: D.B. 173/694 AND D.B. 129/204.

SUBJECT PARCELS SITUATED OUTSIDE
 THE LIMITS OF THE FEMA FLOOD ZONE.

BOUNDARY LINE ADJUSTMENT BETWEEN LOT 44 MAP
 OF DUNGADIN HEIGHTS AND T.M. 28 PARCEL 88B

SOUTH RIVER MAGISTERIAL DISTRICT

WARREN COUNTY, VA.



PREPARED BY:
 BROGAN LAND SURVEYING, PLC
 P.O. BOX 1578,
 FRONT ROYAL, VA. 22630-0034
 TEL. & FAX (540) 635-5657
 MARCH 29, 2021

PROFFER STATEMENT

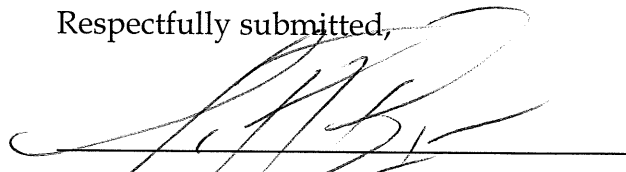
REZONING: R2021-04-01: Residential-One (R-1) to Agricultural (A)
PROPERTY: Tax Map 28C--2----44 (1.7 Acres +/-) of Dungadin Subdivision
APPLICANTS: Salvador and Josette Barragan
PROJECT NAME: Barragan Rezoning
ORIGINAL DATE
OF PROFFERS: May 6, 2021

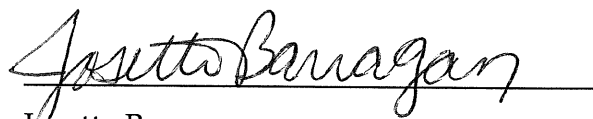
The undersigned hereby proffers that the use and development of the subject property ("Property"), as described above, shall be in strict conformance with the following conditions. In the event that the above referenced Agricultural (A) conditional rezoning is not granted as applied for by the applicants ("Applicants"), these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Property with "final rezoning" defined as that rezoning which is in effect on the day following the last day upon which the Warren County Board of Supervisors (the "Board") decision granting the rezoning may be contested in the appropriate court. If the Board's decision is contested, and the Applicants elects not to submit development plans until such contest is resolved, the term rezoning shall include the day following entry of a final court order affirming the decision of the Board which has not been appealed, or, if appealed, the day following which the decision has been affirmed on appeal.

The Property shall not be used for any of the following purposes:

1. The raising of porcine animals; including but not limited to domestic pigs, boar, and other animals of genus Sus.
2. Kennels.
3. Commercial riding stables.
4. Manufactured home dwelling.
5. The storage of any inoperable motor vehicle as deemed by the Warren County Code.
6. Cemetery.
7. Commercial nursery/garden center.
8. Microwave towers, cell telephone towers, and similar communications structures.
9. Public utility poles, lines, transformers, pipes, meters, and other facilities unless directly servicing the residents of the County.
10. Shooting of firearms as stated in Warren County Code §177-3A(12).

Respectfully submitted,


Salvador Barragan


Josette Barragan

To Whom It May Concern:

This letter is written to express our support for the Barragan Lot Re-zoning request. As the previous property owners, we agree that this re-zoning is a good and logical choice. This parcel, Lot 44-A in Dungadin subdivision is best used for agricultural purposes, since it has no water source nor any maintained road frontage. Furthermore, it adjoins other lots belonging to the Barragans that are already zoned Agricultural. Additionally, since assuming ownership of their property at 110 Park Way in Dungadin, the Barragans have proved to be responsible property owners and considerate neighbors.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry Hambric".A handwritten signature in cursive script, appearing to read "Maria R. Hambric".

Larry and Maria Hambric

Date: 5/5/2021

Joe Petty

From: Elizabeth Wallace <elizabethrice@gmail.com>
Sent: Tuesday, May 11, 2021 7:39 AM
To: Joe Petty
Subject: Property off of Park Way hearing

To whom it may concern:

As a lifelong Warren county resident, I would like to give my affirmation to the rezoning to agricultural of the property belonging to Josette and Salvador Barragan, off of Park Way.

I appreciate our community maintaining its agricultural roots.

Sincerely,

Elizabeth Wallace
Warren County resident

MEMO

Re: Barragan R-1 to Ag Lot Re-Zoning

To Whom It May Concern,

I agree that the Barragans, residing at 110 Park Way, are good neighbors and responsible property owners. I agree that they should be allowed to re-zone their 2-acre lot, Lot 44-A from R-1 to Agricultural.

Printed Name	Address	Signature	Date
William Frenzel	199 Dongadin	William Frenzel	5-9-20

MEMO

Re: Barragan R-1 to Ag Lot Re-Zoning

To Whom It May Concern,

I agree that the Barragans, residing at 110 Park Way, are good neighbors and responsible property owners. I agree that they should be allowed to re-zone their 2-acre lot, Lot 44-A from R-1 to Agricultural.

Printed Name

Address

Signature

Date

Ronald W Smith. 148 Parkway. Ronald W Smith. 5/4/2021.
Anita Shunk 429 Dungadin Anita Shunk 5-4-2021
Charles Shunk 429 Dungadin Charles Shunk 5/4/2021
Patricia Coffey 1103 Park Way Patricia Coffey 5/5/21

RECEIVED

MAY 05 2021

WARREN COUNTY
PLANNING DEPARTMENT

**Dungadin Incorporated
126 Park Way Road
Front Royal, Virginia 226390**

May 4, 2021

**Warren County Board of
Supervisors
Planning Department
220 North Commerce
Front Royal, VA 22630**

To Whom It May Concern:

**Re: Board of Supervisor Work Session Scheduled May 11, 2021, Request to Rezone
Property at 110 Park Way, Front Royal, VA 22630**

**The purpose of this letter is to express our concern upon learning that a resident of
Dungadin Heights (Zoned RI) is requesting a portion of their property (all within the
Dungadin Subdivision) be rezoned from residential to agricultural. The property owners,
as we understand, wish to purchase a horse/horses and build a structure for their
protection.**

The following are our concerns:

**Water. We are a community of 48 houses and maintain and operate the Dungadin
Water System in accordance with the applicable regulations, guidelines and requirements
of the Virginia Department of Health and the Commonwealth of Virginia Office of
Drinking Water, managed by the Culpeper Field Office. We have already lost one of our
wells to cattle caused contamination. Per the State of Virginia directive, we are prohibited
from adding any additional water lines to our strained water system. We have two active
community wells and one of them is located downhill from the property being discussed
and we fear it will be susceptible to contamination run off.**

We are also concerned that if the property is rezoned and later sold its designation as agricultural under Code 180-21 and its uses permitted by right, accessory uses by right and conditional use permits will have an extremely detrimental effect on our neighborhood and our property values.

Therefore, we respectfully request the Board of Supervisors not approve the request.

Sincerely,

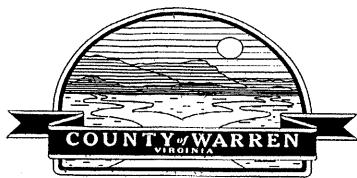
A handwritten signature in cursive script that reads "Dana C. Fogel".

Dana Fogel

President

Dungadin Incorporated

Cell phone #(540) 305 5833



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE:	ITEM:	SUBJECT:	PAGE
6/01/2021	N-9	Conditional Use Permit #2021-04-01 Ryan & Kelsey Speers Guesthouse	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- (4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- (5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- (6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - (a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - (b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - (c) Provide for adequate parking and ingress and egress to public streets or roads.
 - (d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - (e) Prevent such use from changing the character and established pattern of development of the community.

After proper advertisement and a public hearing by the Planning Commission, the application has been forwarded to the Board of Supervisors 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.

Motion to Approve:

Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval with the conditions listed above. The motion was seconded by Mr. Kersjes, and approved by the Planning Commission by a vote of 3-0. Mr. Longo was absent.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed conditional use permit request for advertisement for a public hearing.

SUBMITTED BY: Matt Wendling, CFM County Floodplain Manager Deputy Planning Director 	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (Describe)	PROCESSED BY:
--	---	----------------------



Conditional Use Permit: 2021-04-01 / Guesthouse

Ryan & Kelsey Speers, Applicants

Roger, Jerri & Ronald Morris, Current Owners

Staff Report for the Planning Commission

Prepared: March 29, 2021

Staff Contact: Matt Wendling, Planner II/County Floodplain Manager *MW*

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a guesthouse for the property they currently have under contract. They are requesting this use in order to construct a small cabin on the lot prior to the construction of their larger single-family dwelling which they plan to use as a residence. They plan to live in the cabin temporarily part-time since they currently live in Silver Spring, Maryland. Once their main dwelling is completed they plan to utilize the cabin for family and friends who visit once they receive a certificate of occupancy for the primary dwelling. They also plan to build a woodshop to store maintenance equipment for the property and as a hobby workshop. They understand the guesthouse is to be utilized as a dwelling for non-commercial use and not for full-time occupancy after they move into the principle structure.

PROPERTY INFORMATION

Property Location: Liberty Hall Rd. and Lands Run Rd. City: Bentonville (Browntown)

Tax Map ID: #44--72B

Zoning: Agricultural (A)

Magisterial District: South River

Acres: 20.79

Subdivision: Larivee Family Subdivision

Existing Land Use: Vacant Land

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)

Use: Single Family Dwelling - Woodlands-Pasture

South: Agricultural (A)

Use: Single Family Dwelling - Woodlands/Pasture

East: Agricultural (A)

Use: Vacant Lot - Woodlands

West: Agricultural (A)

Use: Single Family Dwelling - Woodlands

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural (A) zoning district. This property can be accessed by both Lands Run Rd. and Liberty Hall Rd. private access easement and prescriptive right-of-way. VDOT maintains both roads to a point and then the property owners of the lots maintain the access "driveway" to the lots. The prescriptive 30' R-O-W has been researched by staff and VDOT and this information has been provided in your packets.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The request is compatible with Code Section §180-21, indicating district regulations in the Agricultural (A) zoning district. A guesthouse is permitted under this section as a Conditional Use granted by the Board of Supervisors.

PROPOSAL

The Warren County Zoning Ordinance §180-8 defines a "Guesthouse" as "A Dwelling or lodging units for temporary nonpaying guests. No such quarters shall be rented, leased or otherwise made available for compensation of any kind. A guesthouse may be constructed and used prior to the construction of the principal dwelling. The principal dwelling, however, must be completed within five years from the date of issuance of a certificate of occupancy for the guesthouse." And a "Single-Family Dwelling" as "A building containing one dwelling unit and meeting the standards of the Virginia Uniform Statewide Building Code for a one-family dwelling but not to include "manufactured homes" as defined in this chapter."

SUPPLEMENTARY REGULATIONS FOR GUESTHOUSES

There are no supplemental regulations in the Warren County Zoning Ordinance for a guesthouse. Warren County Code Section §180-11.B for Location of Structures states in part: "Erection of more than one principal structure on a lot. In all residential and agricultural districts only one principal structure, housing a use permitted by right, may be erected on a single lot...."

SEWAGE DISPOSAL

The property owner is currently working with an On-site Soil Evaluator to get the soil data for a certification letter from the Warren Health Department for a private septic system and well.

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

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 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.

Cc: Ryan and Kelsey Speers: *Applicants*

Statement of Justification

To:

Warren County Planning Commission
County of Warren Virginia

From:

Ryan and Kelsey Speers
(Planned Purchasers of 44 72B)
603-565-2289
rmspeers@gmail.com

Dear Warren County Planning Commission,

We are respectfully submitting our application for a conditional use permit to build a guesthouse on the property referenced by tax map #44 72B.

Our desire is to build a small cabin, which will serve as our part-time residence while becoming familiar with the area and the land. Eventually, we desire to build a larger house, which will then become our residence. The initial cabin would then become a guesthouse, for our family and friends staying with us. The use of the cabin, both before and after building the house, will be part-time - we will not be there all of the time occupying it.

As we intend to build all the structures on the smaller side, in stages of building, and integrated with the landscape, we do not foresee being able to have one structure big enough to house ourselves as well as family or friends visiting. As such, we request permission to have the guesthouse approved for the property so that we know we may be able to realize our vision for this property.

We plan to build the small cabin (future guesthouse) primarily ourselves, as well as a woodshop elsewhere on the property. While building this, we may spend time (e.g., for weekends) during construction in our self-built small camper trailer which we intend to keep on the property.

In addition, we desire to create an outdoor sitting area and potentially build a small treehouse in the future.

Please let us know if you have any questions, and we would be happy to discuss or provide additional details.

Sincerely,

Ryan Speers

Kelsey Speers

WCCUP-000095-2020

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: CUP 2021-04-01
 Date Received: 3/22/2021
 Fee Amount: \$ 500.00
 Date Paid: 3/22/2021 CK # 153

Applicant Information:

Ryan Speers and Kelsey Speers
Applicant Name

9053 Ottawa Pl Silver Spring MD 20910
Address City State Zip

0 Lands Run Rd, Tax Map 44 72B
Property Location for conditional use permit if Different than Applicant's Address

603-565-2289 rmspeers@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: Known as "0 Lands Run Rd"
- (2) Election District: 504 South - River
- (3) Tax Map Number: 44 72B
- (4) Subdivision Name: L 1 Bernard S Larivee Jr Prop Fam Sub LR07-3231
- (5) Total Area of Property (acres): 20.79
- (6) Total Area to be Used (acres): 764' (measured as exposed right of way on property, road frontage is 30' at entrance to right of way)
- (7) Total Road Frontage (feet): 1213' or 696' on either end as measured off of right of way, or 764' along right of way.
- (8) Depth of Property (feet): 764' along right of way.
- (9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Guesthouse
- (2) Current land use and condition of site: Vacant
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☒ Yes ☐ No
Grading/foundation mostly weekdays, followed by primarily
- (5) Construction Time: self-build construction on weekends and some weekdays.
- (6) Season, days, and hours of operation: N/A
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) Not to my knowledge.
- (9) Number of full time employees: 0
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: Estimated 4-8
- (12) Number of parking spaces to be provided: Regular N/A Handicap N/A
- (13) What is the proposed landscaping and buffering for this property? The desire is for all buildings to be sheltered by trees from being seen from other nearby buildings. The guesthouse will have a view across the right-of-way on the property and onto the clearing that exists on the lot tax map # 45 1, and thus may not be sheltered from part of that lot.

C. Plans Prepared By

Name: Ryan Speers

Address: 9053 Ottawa Pl, Silver Spring, MD 20910

Telephone Number: 603-565-2289

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) We do not expect it to have adverse impact. The desire is to have a guesthouse which integrates with the natural habitat in design, landscaping, and construction practices.

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____
In the normal use, household trash and recycling will be generated in limited quantities, and will be brought to the local disposal facility. During construction, additional debris such as scrap wood may be generated and will be disposed of in line with local regulations.
- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____
Limited amounts of household chemicals such as bleach may be used for cleaning and will be stored in containers with appropriate safety lids as typical.
- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____
The guesthouse will have a wood-burning stove for heat, and as such will have a chimney/vent which will produce some wood smoke when in use.
- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____
None is expected.
- (6) What will be the impact on traffic? _____
Typical and limited vehicle traffic for resident and guests may exist on Liberty Hall Rd to access the lot.
- (7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. _____
Yes, we expect some lights on the guesthouse to include a front door light, porch light, and potentially some strings of "bistro lights". Wattage of each bulb is expected to be at or below 80 watts.

**The following documents and/or information are required
to be submitted with the application:**

☐ **An application fee of \$500.00.**

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

☒ **A Statement of Justification**

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.

☒ **A Site Plan/Survey.**

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

☐ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☒ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☒ **A statement verifying that real estate taxes have been paid.**

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

☐ **Environmental and Community Impact Statements**

N/A The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

☐ **List of chemicals stored on the site**

N/A A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

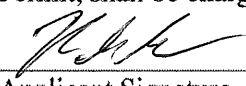
☐ **Location Map**

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

☒ **Directions to your property from the Warren County Government Center.**

Get on E 2nd St, and go until you turn Left onto Union St. Turn and take 340 (S Royal Ave) South. Turn Left to Rte 649 (Browntown Rd) to a left onto Rte 622 (Liberty Hall Rd). Continue to end of state maintance, and use the right of way to continue over the rough gravel to the gate which is at the NE corner of the property.

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.

 Kelsy Spens 3/23/21
Applicant Signature Date

(see other document)
Property Owner Signature Date

Accepted by: _____ Date: _____

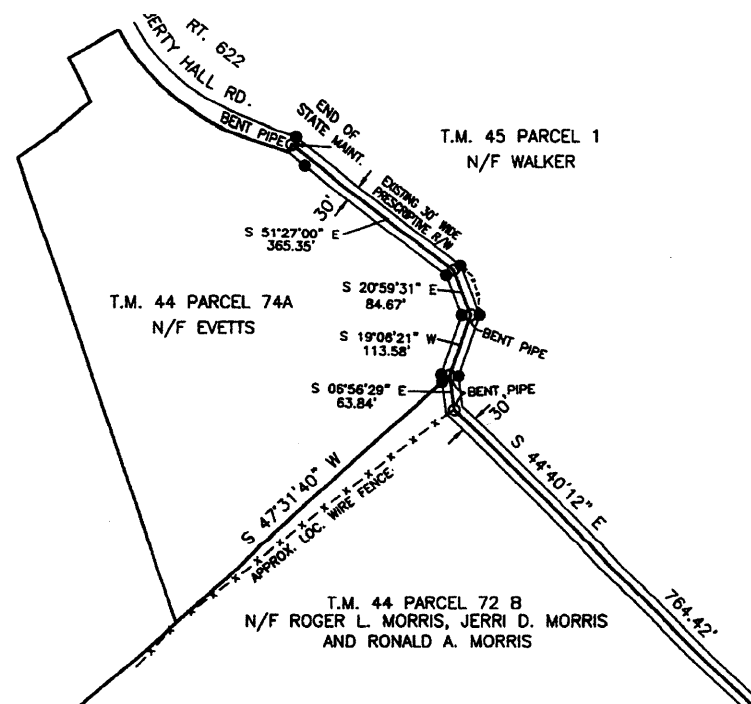
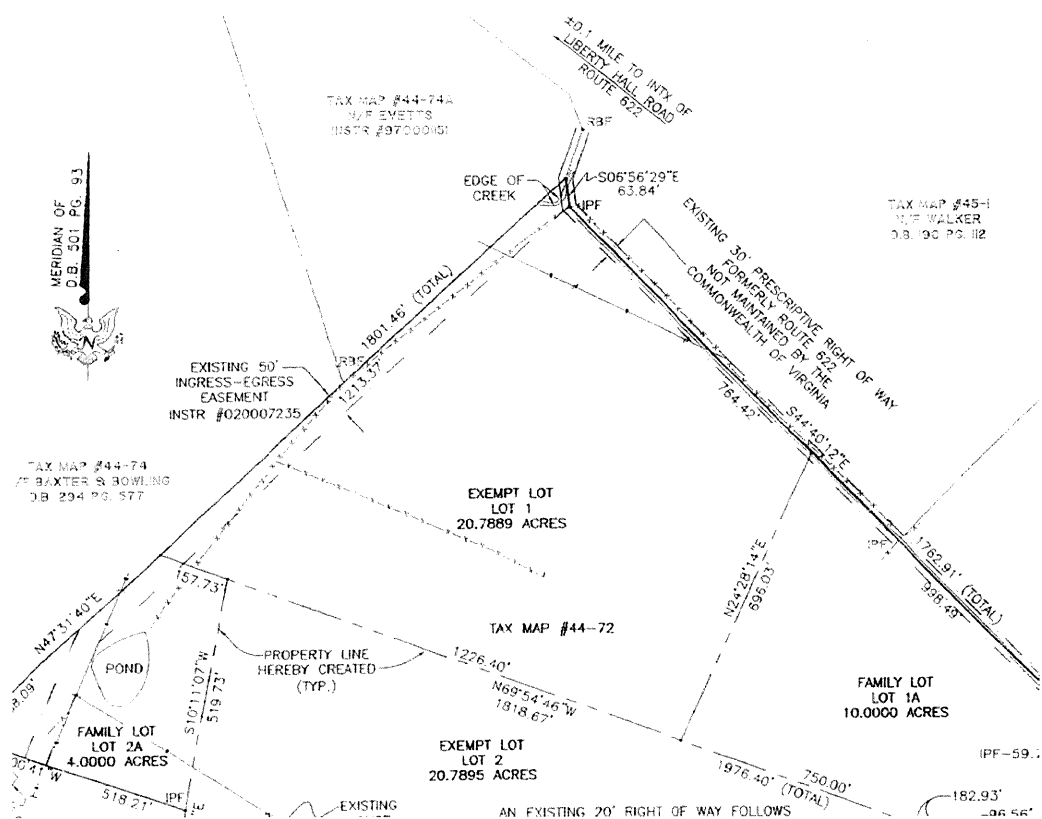
PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

Site Plan/Survey

for 44 72B
Guesthouse Conditional Use Permit

MERIDIAN OF
D.B. 501 PG. 93



Planned Workshop

Planned Guesthouse

Planned House

EDGE OF CREEK

S06°56'29"E 63.84'

EXISTING 30' PRESCRIPTIVE RIGHT OF WAY FORMERLY ROUTE 622 NOT MAINTAINED BY THE COMMONWEALTH OF VIRGINIA

EXISTING 50' INGRESS-EGRESS EASEMENT INSTR #020007235

1801.46' (TOTAL)

1213.37'

764.42'

S44°40'12"E

1762.91' (TOTAL)

998.49'

N24°28'14"E 696.03'

1226.40'

N69°54'46"W 1818.67'

PROPERTY LINE HEREBY CREATED (TYP.)

157.73'

10°11'07"W 519.73'

POND

FAMILY LOT LOT 2A

EXEMPT LOT LOT 1 20.7889 ACRES

TAX MAP #44-72

FAMILY LOT LOT 1A 10.0000 ACRES

TAX MAP #44-74 N/F BAXTER & BOWLING D.B. 294 PG. 577

TAX MAP #45-1 N/F WALKER D.B. 190 PG. 112

MERIDIAN OF D.B. 501 PG. 93

TAX MAP #45-1
N/F WALKER
D.B. 190 PG. 112

EXEMPT LOT

Memorandum

To:

Planning Department

County of Warren Virginia

220 North Commerce Avenue, Suite 400

Front Royal, Virginia 22630

From:

Roger and Jerri and Ronald Morris

(Current Land Owners of 44 72B)

908 Lands Run Rd

Bentonville VA

Phone: 540-305-4805

To Whom it May Concern:

Ryan and Kelsey Speers are under contract and in a study period within that contract to evaluate the potential to use the 20.79 acres of land known as 0 Lands Run Rd, or tax map 44 72B. As part of this study, they are submitting a Conditional Use Permit application.

As they are not currently the owners of the property, we are submitting this letter as required by the Conditional Use Permit application:

"If the applicant is not the owner of the property, evidence must be submitted showing that the applicant has approval to request a conditional use permit and will have the right to use the property as proposed."

Please evaluate their Conditional Use Permit request as expeditiously as possible, knowing that if they do close on the property, they therefore will be the owner and will have the right to use the property as proposed.

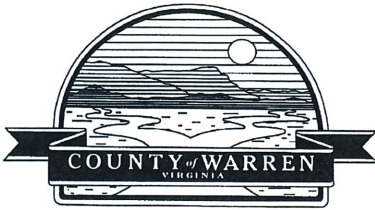
Sincerely,

Roger Morris

Jerri Morris

Ronald Morris

COUNTY OF WARREN



Building Inspections Office
Warren County Government Center
220 North Commerce Avenue, Suite 400
Front Royal, Virginia 22630

Phone: (540) 636-9973
FAX: (540) 636-4698
Email: dbeahm@warrencountyva.net

David C. Beahm
Building Official

BOARD OF SUPERVISORS

CHAIR
Cheryl L. Cullers
*South River
District*

VICE CHAIR
Archie A. Fox
*Fork
District*

Tony F. Carter
*Happy Creek
District*

Walter J. Mabe
*Shenandoah
District*

Delores R. Oates
*North River
District*

Edwin Daley
Interim
County Administrator

Comments 2021-04-01 – Ryan and Kelsey Speers – Conditional Use Permit for Guesthouse – WCCUP-000098-2021:

- Erosion and Sediment Control Items:
 - This structure would be considered a new single-family dwelling as defined by the building code and as such would require either an Agreement in Lieu of or an Erosion and Sediment Control Permit once the work is thoroughly described on the site.
- Building Inspections Items:
 - This request would be a completely new structure and would require all required permits for the work that is being completed. Including, but not limited to building, electrical, mechanical, plumbing. All of these would require applications and submissions that would be completely separate from this process going through the building inspections office when the applicant is ready to submit the needed documents and information.
 - It is indicated that this would be a “small cabin” eventually becoming a guesthouse, but no further information was provided that would be needed to submit for permits. The requirements for the required permits may vary depending on what is provided at the time of application. However, the structure will need to meet the Virginia Uniform Statewide Building Codes to be approved for this use.

If anything should change in the scope additional requirements may be required.

Front Royal-Warren County
Rivers of Opportunity-Mountains of Success

Fw: FW: Warren-Rte622 Liberty Hall - 44 72B

Taryn Logan <Tlogan@warrencountyva.net>

Mon 4/12/2021 9:37 AM

To: Natalie Lentz <NLentz@warrencountyva.net>

 1 attachments (12 MB)

SCN_20100621125925_001.pdf;

From: Taryn Logan <warrcova@gmail.com>
Sent: Thursday, April 8, 2021 2:40 PM
To: Taryn Logan <Tlogan@warrencountyva.net>
Subject: Fwd: FW: Warren-Rte622 Liberty Hall - 44 72B

----- Forwarded message -----

From: **Arthur Boyce** <bobby.boyce@vdot.virginia.gov>
Date: Thu, Apr 8, 2021 at 1:17 PM
Subject: FW: Warren-Rte622 Liberty Hall - 44 72B
To: <WarrCoVa@gmail.com>

From: Arthur Boyce <bobby.boyce@vdot.virginia.gov>
Sent: Friday, March 19, 2021 1:51 PM
To: 'Ryan Speers' <rmspeers@gmail.com>
Cc: 'Mwendling@warrencountyva.net' <Mwendling@warrencountyva.net>; Bradley Riggleman <bradley.riggleman@vdot.virginia.gov>; 'Rhonda Funkhouser' <Rhonda.Funkhouser@vdot.virginia.gov>; 'Duncan, Travis' <travis.duncan@vdot.virginia.gov>; 'Taryn Logan' <Tlogan@warrencountyva.net>
Subject: Warren-Rte622 Liberty Hall - 44 72B

Hey Ryan,

Attached is the VDOT discontinuance paperwork for the section of Rte 622 of your concerns. It appears that VDOT officially discontinued maintenance of the section of roadway in 1982, however the County of Warren does retain the 30' prescriptive easement for public use.

If you have any questions, please give me a call at (540)280-5045.

Sincerely,

Bobby Boyce

VDOT- Land Development Engineer
Shenandoah, Frederick, Clarke, & Warren Counties

4/12/2021

Mail - Natalie Lentz - Outlook

14031 Old Valley Pike
Edinburg, VA 22824
(540) 534-3211

From: Ryan Speers <rmspeers@gmail.com>

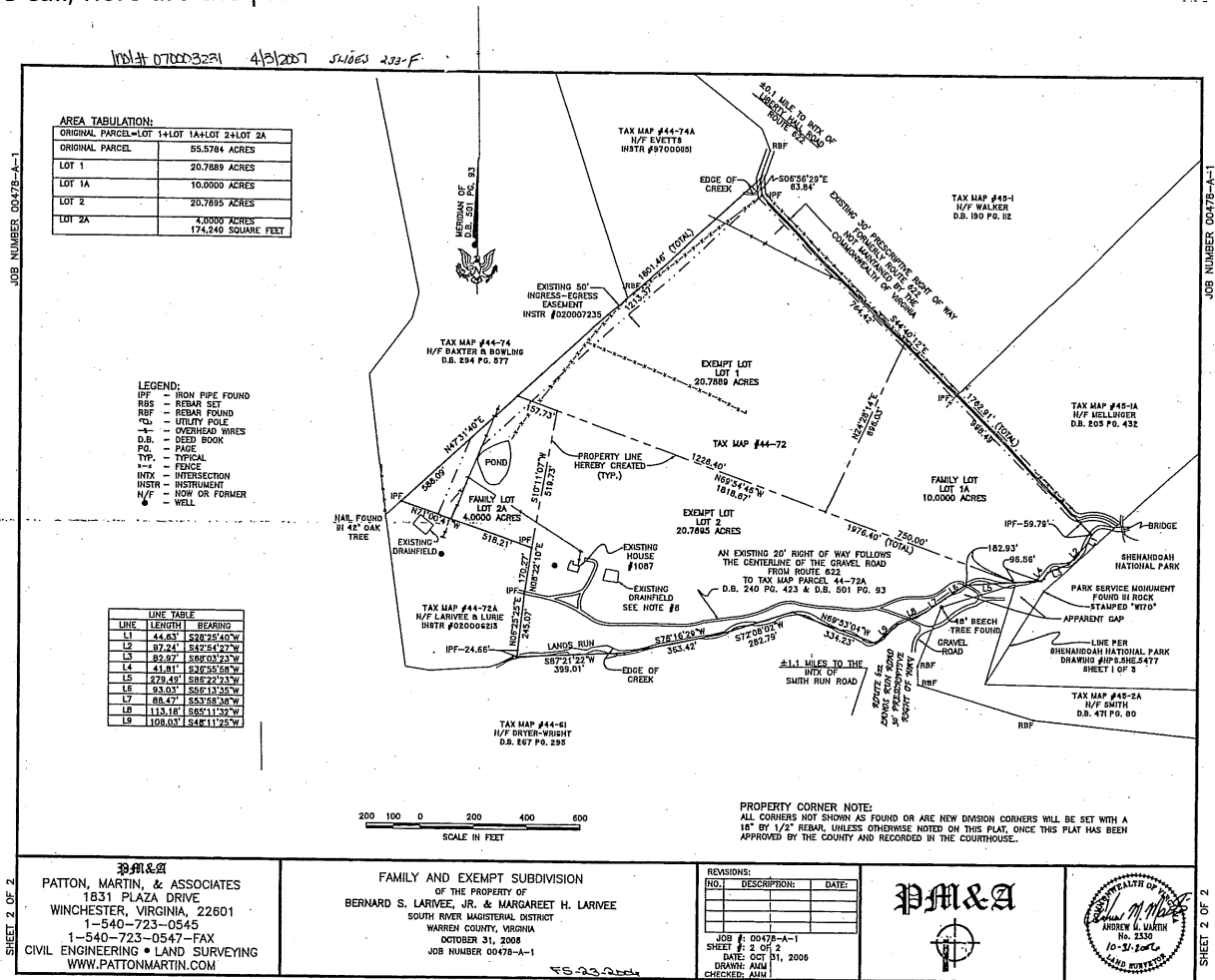
Sent: Friday, March 19, 2021 10:54 AM

To: bobby.boyce@vdot.virginia.gov

Subject: Liberty Hall - 44 72B

Hi,

Per the call, here are the plats.



-Ryan

Mr. A. S. Brown

Staunton

Paul F. Cecchini

December 6, 82

Proposed Discontinuance

622

Warren County

This is in reference to your memorandum of November 30, 1982, which advised that Mr. O. K. Mabry had concurred in the recommendation that appropriate action be taken to discontinue 0.61 mile of Route 622 in Warren County between 1.39 miles east of Route 649 and 1.10 miles north of Route 634.

In connection with the above we are forwarding to you herewith the following data:

Form CE-5
Form T&S-5
Sketch

No resolution from the Board of Supervisors is attached since the Board would not concur in this request. Copies of a letter dated September 17, 1982, from Mr. Leo E. Busser, III notifying the County of the Commission's intent to discontinue are enclosed.

Your efforts to accomplish the above are appreciated.

Paul F. Cecchini
District Engineer

BY: W. F. McCormick
Assistant District Engineer

WFM/p

Att.

CC: Mr. M. L. Dickerson



DEPARTMENT OF HIGHWAYS & TRANSPORTATION
INTRA-DEPARTMENTAL MEMORANDUM

TO : Mr. P. F. Cecchini Att'n.: Mr. W. F. McCormick Luray, Virginia
FROM : M. L. Dickerson December 3, 1982
SUBJECT: Proposed Discontinuance Route 622 Proj. _____
Warren County

Attached is the following assembly in regard to the proposed discontinuance of Route 622, in Warren County.

Original and two copies of Form CE-5
Original and two copies of Form T&S-5
Original and two copies of Sketch

As the Board of Supervisors of Warren County oppose the discontinuance, a resolution is not attached. We are submitting three (3) copies of Mr. Busser's letter of September 17, 1982, notifying the county of the Commission's intent to discontinue.

M. L. Dickerson
Resident Engineer

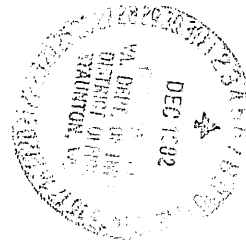
By:



L. F. Pauls
Assistant Resident Engineer

LFP/s

Attachments



SECONDARY SYSTEM

ADDITIONS-DISCONTINUANCES-ABANDONMENTS-REPORT AND RECOMMENDATION

COUNTY WARREN (93) DATE OF RESOLUTION _____

PRIOR APPLICATION: If prior application has been made, state action

1. By Board _____ Date _____
2. By Commissioner _____ Date November 18, 1982

ADDITION (Attach sketch and resolution)

SECTION REQUESTED: Present Width-Right-of-Way _____ Ft. Length _____ Mi.

Description _____

Service _____

Condition _____
(If not maintainable, report condition in detail.)New Construction _____
(State length, type, and cost of new construction required.)

SECTION RECOMMENDED: Present Width-Right-of-Way _____ Ft. Length _____ Mi.

Description _____

Remarks _____

(If not maintainable, report estimated cost to bring to secondary standards.)

Right of Way recorded in Deed Book _____, Page Number _____, Date _____

On Route 622, beginning at a point 1.10 mi. N. Route 634
 DISCONTINUANCE (Attach sketch and resolution) and proceeding to a point on Route 622, 1.39 mi. E. of
 Description Route 649, a total distance of 0.61 mile

Service No public service Length 0.61 Mi.Hearing held at 8:00 PM, Warren County Court House, Date November 16, 1982

ABANDONMENT (Attach sketch and resolution)

Description _____

Service _____ Length _____ Mi.

* * * * *

RECOMMENDATION Use words "Accept" "Reject" "Discontinue" or "Abandon"

Give length Accepted, Discontinued or Abandoned

Recommend	Length
DISCONTINUE	0.61 Mi.

"	" Mi.
---	-------

	Mi.
--	-----

	Mi.
--	-----

Signature M. G. [Signature] Resident Engineer

Date 12/2/82

Signature Paul F. Cochran District Engineer

Date 12/6/82

Sec. Roads Engr.

Date _____

Deputy Comm.

Date _____

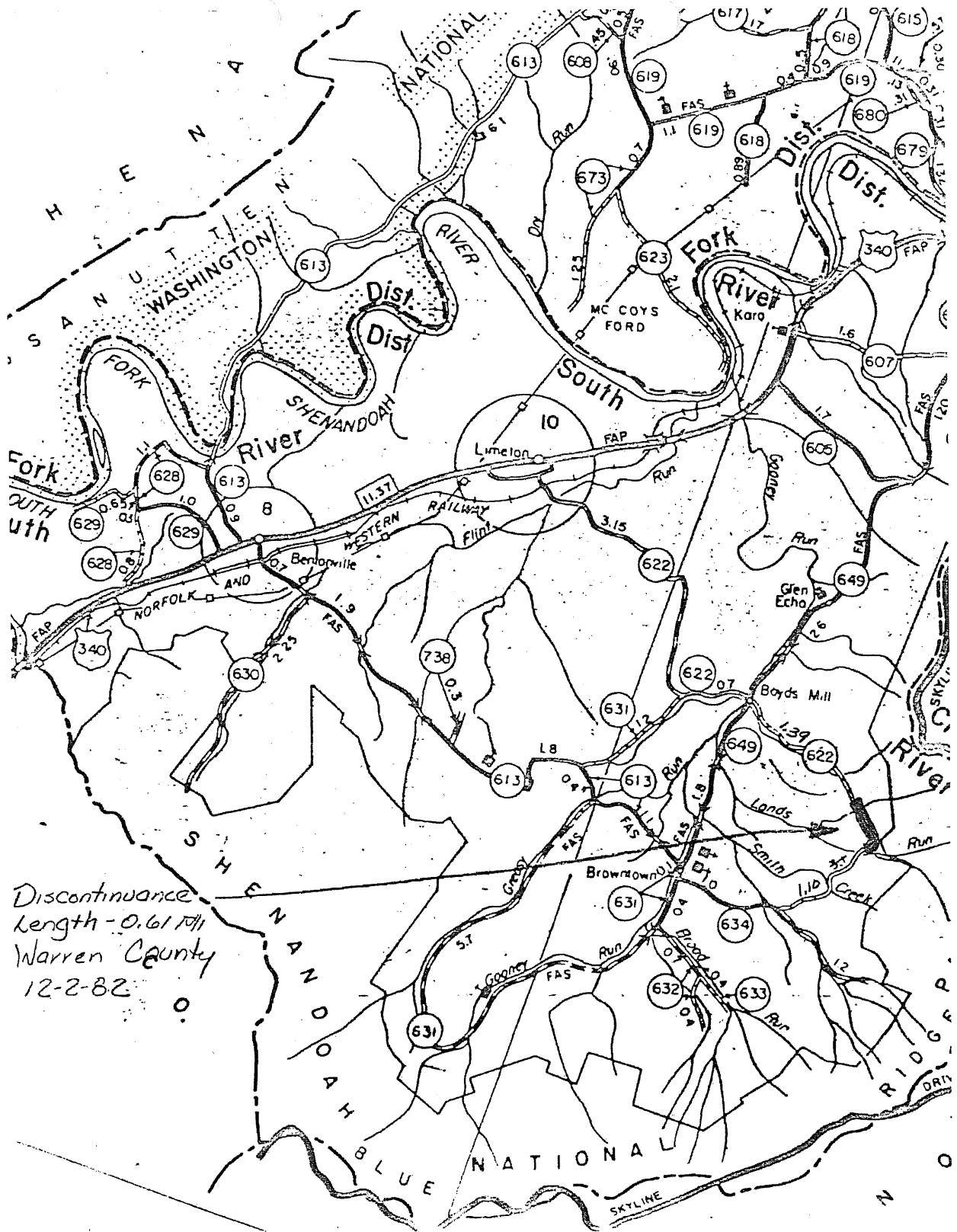
165 5-1
1-1-81

VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION
ROAD INVENTORY
MILEAGE RECORDS

REPORT FOR MONTH ENDING Dec. 1982

DISTRICT Staunton
CITY _____
COUNTY Warren

FIELD INPUT														CENTRAL OFFICE INPUT																		
DISTRICT	STATE	COUNTY	CITY / TOWN OR TOLL FACILITY	ROUTE NUMBER		SECTION NUMBER	SEQUENCE NUMBER	TERMINI		LENGTH	WIDTH		SURFACE & BASE TYPE	KIND OF HIGHWAY	INTERSTATE LANES OPEN 5 YEARS	ANNUAL AWT	TYPE OF SECTION ID	MILE POINT	RATE SIGN	SYSTEM	OPERATION	FUNCTIONAL CLASS	SPEC CODE	FEDERAL COUNTY	URBAN AREA CODE	RURAL/URBAN DESIG	RURAL/URBAN	SECT	TYPE	CODE		
				FED AID	STATE			FROM	TO		SURFACE	SHOULDER																			FROM	TO
893				0622		01	ORT 634		110M	RT 634	001100	801302	000000	0271	000000	4200	111111	1631	8700	0000	100											
893				0622		020	139M	RT 649		001391	001302	000000	0721	001724	2001	111111	1631	8700	0000	100												



Luray Residency

September 17, 1982

Route 622
Warren County

Mr. Robert F. Looney, Chairman
Warren County Board of Supervisors
P. O. Box 908
Front Royal, Virginia 22630

Dear Mr. Looney:

Section 33.1-150 of the Code of Virginia, as amended, enables the State Highway and Transportation Commission to discontinue State maintenance on any secondary road or crossing not required for public convenience.

Based on its condition and other available evidence, the middle 1.1 miles section of Route 622 located between the intersections of Routes 649 and 634 in the Landa Run area, no longer provides a service warranting public expenditure.

With the County Board taking no action to abandon this portion of Route 622 from the secondary system, the Department finds it necessary to undertake discontinuance under its own initiative as provided for under Section 33.1-150.

The Board is, therefore, herewith notified of the Commission's intent to discontinue Route 622 from 1.0 mile east of Route 649 to 1.0 mile north of Route 634, a distance of 1.1 miles, effective November 18, 1982.

Section 33.1-150 also provides that a public hearing must be held if so requested by the County. Should the County desire a public hearing, the Board must notify Mr. M. L. Dickerson, the Department's Resident Engineer, prior to November 1, 1982, so that arrangements can be made for the hearing.

Sincerely,


Leo E. Busser, III
Deputy Commissioner

Cc: Mr. F. F. Cecchini
Mr. M. L. Dickerson

DLC/ajm

Bcc: Mr. O. K. Mabry
Mr. A. S. Brown
Mr. C. O. Leigh
Mr. A. L. Thomas, Jr.



Staunton District

HAROLD C. KING, COMMISSIONER
EUGENE M. BANE, GRUNDY, BRISTOL DISTRICT
T. GEORGE VAUGHAN, JR., GALAX, SALEM DISTRICT
WILLIAM R. WATKINS, SOUTH BOSTON, LYNCHBURG DISTRICT
WILLIAM F. MOHR, RICHMOND, RICHMOND DISTRICT
RICHARD C. BRIDGES, VIRGINIA BEACH, SUFFOLK DISTRICT
H. R. HUMPHREYS, JR., WEEMS, FREDERICKSBURG DISTRICT
JOSEPH M. GUIFFRE, ALEXANDRIA, CULPEPER DISTRICT
ROBERT W. SMALLEY, BERRYVILLE, STAUNTON DISTRICT
T. EUGENE SMITH, MCLEAN, AT LARGE-URBAN
ROBERT A. QUICKE, BLACKSTONE, AT LARGE-RURAL



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION
1221 EAST BROAD STREET
RICHMOND, 23219

November 30, 1982

LEO E. BUSSE, III
DEPUTY COMMISSIONER
JOHN M. WRAY, JR.
CHIEF ENGINEER
J. T. WARREN
DIRECTOR OF ADMINISTRATION
OSCAR K. MABRY
DIRECTOR OF PLANNING
HAROLD W. WORRALL
DIRECTOR OF FINANCE
S. S. HODGE
ASSISTANT CHIEF ENGINEER
SALLY K. COOPER
DIRECTOR OF PUBLIC TRANSPORTATION
IN REPLY PLEASE REFER TO

A. S. BROWN
STATE SECONDARY ROADS ENGINEER

Proposed Discontinuance
Route 622 - Warren County

MEMORANDUM

TO Mr. P. F. Cecchini
ATTENTION Mr. W. F. McCormick

We have received concurrence from Mr. O. K. Mabry to proceed with the appropriate action to discontinue the 0.61 mile portion of Route 622 between 1.39 miles east of Route 649 and 1.10 miles north of Route 634.

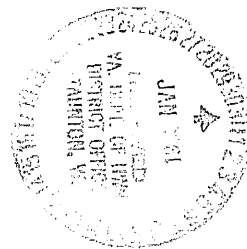
Mr. Dickerson has been advised via telephone of Mr. Mabry's concurrence and will be forwarding to you the necessary information for presentation to the Commission.

A. S. Brown
A. S. Brown
Secondary Roads Engineer

CTS:mmm

cc Mr. M. L. Dickerson - att. 12/6/82

Span



January 26, 1983

Secondary System
Discontinuance
Warren County

Board of Supervisors
Warren County
P. O. Box 908
Front Royal, Virginia 22630

Gentlemen:

On September 17, 1982, you were, by letter to your chairman, Mr. Robert F. Looney, notified of the Commissioner's intent to discontinue state maintenance on Route 622 between 1.0 mile east of Route 649 and 1.0 mile north of Route 634.

A public hearing was held on November 16, 1982, at 8:00 PM in the Warren County Circuit Courtroom for the purpose of discontinuing a lesser portion of Route 622 between 1.39 miles east of Route 649 to 1.10 miles north of Route 634.

In the absence of any evidence that the section of Route 622 between 1.39 miles east of Route 649 and 1.10 miles north of Route 634 provides any public service to vehicular traffic, the Highway and Transportation Commission at its January 20, 1983, meeting officially discontinued state maintenance on that portion of Route 622.

Sincerely,

Leo E. Busser, III
Deputy Commissioner

CTS:mmm

bcc Mr. O. K. Mabry
Mr. A. S. Brown
Mr. J. G. Ripley
Mr. A. L. Thomas, Jr.
✓ Mr. P. F. Cecchini
Mr. B. L. Dunnavant
Mr. M. L. Dickerson

MOVED BY Mr. Bane, SECONDED BY Mr. Vaughan,

that the Commission confirm letter ballot action on the following resolution:

WHEREAS, by proper resolutions, the Boards of Supervisors of Rockbridge and Warren Counties have requested that certain roads which no longer serve as a public necessity be discontinued as parts of the Secondary System of Highways; and

WHEREAS, at its meeting on November 18, 1982, this Commission authorized the discontinuance of

Warren County	Route 622 from 1.00 mile east of	1.10
	Route 649 to 1.00 mile north of	
	Route 634.	

and this has been found to be in error;

NOW, THEREFORE, BE IT RESOLVED, that action at the November 18, 1982, meeting authorizing discontinuance of the above described portion of Route 622 in Warren County be rescinded; and

BE IT FURTHER RESOLVED, that pursuant to Section 33.1-150 of the Code of Virginia of 1950, as amended, the following roads be discontinued as parts of the Secondary System of Highways, effective this date:

Rockbridge County	Route 832, from Rte. 770 to	0.15 Mi.
	0.15 Mi. N. Rte. 770.	

Warren County	Route 622, beginning at a	
	point 1.10 mi. N. Route 634	0.61 Mi.
	and proceeding to a point	
	1.39 Mi. E. of Rte. 649.	

MOTION CARRIED

1/20/83

RECEIVED

JAN 21 1983

**SECONDARY
ROADS**

ARTHUR C. KING, COMMISSIONER
 JOHN M. BANE, GRUNDY DISTRICT
 GEORGE VAUGHAN, JR., GALAX, SALEM DISTRICT
 WILLIAM R. WATKINS, SOUTH BOSTON, LYNCHBURG DISTRICT
 TAM F. MOHR, RICHMOND, RICHMOND DISTRICT
 HAROLD C. BRYDGES, VIRGINIA BEACH, SUFFOLK DISTRICT
 HUMPHREYS JR. WEEMS, FREDERICKSBURG DISTRICT
 PHILIP M. GUTIERREZ, ALEXANDRIA, CALPNER DISTRICT
 PHILIP A. SMALLEY, BERRYVILLE, STAUNTON DISTRICT
 JOHN SMITH MCLEAN, AT LARGE, PRINCE
 EDWARD, BLACKSTONE, AT LARGE, RURAL



COMMONWEALTH of VIRGINIA

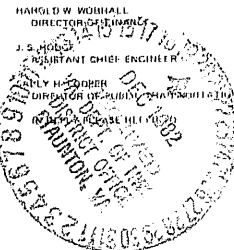
DEPARTMENT OF HIGHWAYS & TRANSPORTATION
 1221 EAST BROAD STREET
 RICHMOND, 23219

December 15, 1982

Mr. Cecchini
 Staunton District

LEO E. BUSSEY, III
 DEPUTY COMMISSIONER
 JOHN M. WHARTON, JR.
 CHIEF ENGINEER
 J. T. WANNEN
 DIRECTOR OF ADMINISTRATION

OSCAR E. MABRY
 DIRECTOR OF PLANNING



Proposed Discontinuance of
 a Portion of Route 622
 Warren County

Mr. J. Ronald George
 County Administrator
 County of Warren
 P. O. Box 908
 Front Royal, Virginia 22630

Dear Mr. George:

This will acknowledge receipt of your letter of November 29, 1982,
 relative to the proposed discontinuance of a portion of Route 622 in
 Warren County.

I can assure you that your letter will be made a part of the
 official proceedings in this matter.

Sincerely,

Leo E. Bussey, III
 Leo E. Bussey, III
 Deputy Commissioner

CC: ✓ Mr. P. F. Cecchini
 Mr. M. L. Dickerson



J. RONALD GEORGE
County Administrator

COUNTY OF WARREN

P.O. BOX 908
FRONT ROYAL, VIRGINIA 22630
(703) 636-9973

BOARD OF SUPERVISORS

ROBERT F. LOONEY
Chairman

BERNARD L. STOKES
Vice-Chairman

CHARLES T. INGLES
LYNWOOD L. MORRISON
RICHARD D. TRENARY

November 29, 1982

Mr. Leo E. Busser, III
Deputy Commissioner
Department of Highways & Transportation
1221 East Broad Street
Richmond, Virginia 23219

Dear Mr. Busser:

I am writing in reference to the proposed discontinuance of a portion of Route 622 in Warren County. The County was notified of this proposal by your letter of September 17, 1982. As a result of your letter, the Warren County Board of Supervisors requested a public hearing on this matter which was held on November 16, 1982. The public hearing was well attended and area residents voiced their opinions concerning the proposal. At the conclusion of the hearing, the Warren County Board of Supervisors voted unanimously to inform the State Highway and Transportation Commission of the County's opposition to the proposed discontinuance of this section of Route 622 in Warren County.

I have been informed by Mr. Marlin L. Dickerson, Resident Engineer, that this proposal will be considered at the next scheduled meeting of the Highway Commission. I would appreciate it if you would forward a copy of this letter to the members of the Commission to notify them of Warren County's position on this matter.

Thank you for your assistance.

Sincerely yours,

J. Ronald George
J. Ronald George
County Administrator

JRG:hms

ccs: Mr. Robert W. Smalley
Commission Member, VDH&T
Mr. M.L. Dickerson
Resident Engineer

HAROLD C. KING, COMMISSIONER
 J. E. M. BANE, GRUNDY, BRISTOL DISTRICT
 J. GEORGE VAUGHAN, JR., GALAX, SALEM DISTRICT
 WILLIAM H. WATKINS, SOUTH BOSTON, LYNCHBURG DISTRICT
 WILLIAM F. MOHR, RICHMOND, RICHMOND DISTRICT
 HAROLD C. BRYDGES, VIRGINIA BEACH, SUFFOLK DISTRICT
 J. W. WHEAT, JR., WILLIAMSBURG, FRANKLIN DISTRICT
 THOMAS G. JEFFRE, ALEXANDRIA, CULPEPER DISTRICT
 ROBERT W. SMALL, BERRYVILLE, STAUNTON DISTRICT
 J. L. SMITH, MCLAREN, AT LARGE-URBAN
 ROBERT A. QUINN, BLACKSTONE, AT LARGE-RURAL

Staunton District



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION
 1221 EAST BROAD STREET
 RICHMOND, 23219

LEO E. RUSSEY, III
 DEPUTY COMMISSIONER
 JOHN M. WRAY, JR.
 CHIEF ENGINEER
 J. T. WARREN
 DIRECTOR OF ADMINISTRATION
 OSCAR K. MAHLEY
 DIRECTOR OF PLANNING
 HAROLD W. WHEELER
 DIRECTOR OF FINANCE
 J. S. HODGE
 ASSISTANT CHIEF ENGINEER
 SALLY K. COOPER
 DIRECTOR OF PUBLIC TRANSPORTATION
 IN REPLY PLEASE REFER TO

A. S. BROWN
 STATE SECONDARY ROADS ENGINEER

November 24, 1982

Proposed Discontinuance
 Route 622 - Warren County

MEMORANDUM

TO

Mr. O. K. Mabry

I am attaching memorandum dated November 19, 1982, from Mr. Paul F. Cecchini along with our entire file concerning the proposed discontinuance of a section of Route 622 in Warren County.

This particular section of Route 622 has been untravelable to vehicular traffic for a period of over 40 years and the Board of Supervisors of Warren County has continually refused to take any action concerning either abandonment or discontinuance of the road. This has not been a particular problem until recently when a controversy started to brew between property owners along the road and others who wish to use the road as a horseback riding trail.

The property owners, having erected gates to protect their cattle, furnished the horseback riders with keys to the locks; but the horseback riders do not feel that they should be so inconvenienced.

In deference to the controversy and since the Board would take no action regarding abandonment or discontinuance, a notice was given the Board of Supervisors and a subsequent public hearing was held in accordance with Section 33.1-150 of the Code to consider discontinuance under the Commission's initiative.

Although the testimony was about evenly divided for and against discontinuance, the Board of Supervisors voted 4 to 1 against discontinuance. While it is difficult to understand the Board's favoring those who wish to use the road over the property owners, I feel that the Department has an obligation to the public which overrides the local sentiment. The evidence is overwhelming that this section of road provides absolutely no public service to vehicular traffic and the only reason for keeping it in the system is for the convenience of horseback riders which is contrary to our philosophy of public service.

I, therefore, agree with the District Engineer and the Resident Engineer to recommend that the Commission discontinue this section of the road under Section 33.1-150 of the Code.

Attachment
 ASB:mmm

A. S. Brown
 A. S. Brown
 Secondary Roads Engineer

cc Mr. P. F. Cecchini
 Mr. W. F. McCormick
 Mr. M. L. Dickerson

11/26/82

[Signature]
[Signature]

HAROLD C. KING, COMMISSIONER
EUGENE M. BANE, GRUNDY, BRISTOL DISTRICT
GEORGE VAUGHAN, JR., GALAX, SALEM DISTRICT
WILLIAM R. WATKINS, SOUTH BOSTON, LYNCHBURG DISTRICT
WILLIAM F. MOHR, RICHMOND, RICHMOND DISTRICT
RAND C. BRYDGES, VIRGINIA BEACH, SUFFOLK DISTRICT
H. HUMPHREYS, JR. WEIMS, FREDERICKSBURG DISTRICT
JOHN M. GIFFEY, ALEXANDRIA, CULPEPER DISTRICT
ROBERT W. SMAILEY, BERRYVILLE, STAUNTON DISTRICT
LEIGH SMITH, MCLEAN, AT LARGE-URBAN
ROBERT A. QUICK, BLACKSTONE, AT LARGE-RURAL

Staunton District



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION
1221 EAST BROAD STREET
RICHMOND, 23219

LEO E. BUSSEY, III
DEPUTY COMMISSIONER
JOHN M. WRAY, JR.
CHIEF ENGINEER
J. T. WARREN
DIRECTOR OF ADMINISTRATION
OSCAR K. MABRY
DIRECTOR OF PLANNING
HAROLD W. WPHRALL
DIRECTOR OF FINANCE
J. S. HODGE
ASSISTANT CHIEF ENGINEER
SALLY H. COOPER
DIRECTOR OF PUBLIC TRANSPORTATION
IN REPLY PLEASE REFER TO

A. S. BROWN
STATE SECONDARY ROADS ENGINEER

November 24, 1982

Proposed Discontinuance
Route 622 - Warren County

MEMORANDUM

TO

Mr. O. K. Mabry

I am attaching memorandum dated November 19, 1982, from Mr. Paul F. Cecchini along with our entire file concerning the proposed discontinuance of a section of Route 622 in Warren County.

This particular section of Route 622 has been untravelable to vehicular traffic for a period of over 40 years and the Board of Supervisors of Warren County has continually refused to take any action concerning either abandonment or discontinuance of the road. This has not been a particular problem until recently when a controversy started to brew between property owners along the road and others who wish to use the road as a horseback riding trail.

The property owners, having erected gates to protect their cattle, furnished the horseback riders with keys to the locks; but the horseback riders do not feel that they should be so inconvenienced.

In deference to the controversy and since the Board would take no action regarding abandonment or discontinuance, a notice was given the Board of Supervisors and a subsequent public hearing was held in accordance with Section 33.1-150 of the Code to consider discontinuance under the Commission's initiative.

Although the testimony was about evenly divided for and against discontinuance, the Board of Supervisors voted 4 to 1 against discontinuance. While it is difficult to understand the Board's favoring those who wish to use the road over the property owners, I feel that the Department has an obligation to the public which overrides the local sentiment. The evidence is overwhelming that this section of road provides absolutely no public service to vehicular traffic and the only reason for keeping it in the system is for the convenience of horseback riders which is contrary to our philosophy of public service.

I, therefore, agree with the District Engineer and the Resident Engineer to recommend that the Commission discontinue this section of the road under Section 33.1-150 of the Code.

Attachment
ASB:mmm

A. S. Brown

A. S. Brown
Secondary Roads Engineer

cc Mr. P. F. Cecchini
✓ Mr. W. F. McCormick
Mr. M. L. Dickerson

[Handwritten signature]

Mr. A. S. Brown

Staunton

Paul F. Cecchini

November 19, 82

Public Hearing - Discontinuance

622

Warren County

We are in receipt of a copy of Mr. M. L. Dickerson's memorandum to you dated November 17, 1982, wherein he relates the events of the hearing and the Board of Supervisors' action.

We concur with Mr. Dickerson in his recommendation to the Highway and Transportation Commission that this section of road be officially discontinued.

Paul F. Cecchini
District Engineer

BY: W. F. McCormick
Assistant District Engineer

WFM/p

CC: Mr. M. L. Dickerson



DEPARTMENT OF HIGHWAYS & TRANSPORTATION
INTRA-DEPARTMENTAL MEMORANDUM

TO : Mr. A. S. Brown
FROM : M. L. Dickerson
SUBJECT: Public Hearing - Discontinuance



Luray, Virginia
November 17, 1982

622
Route ~~Warren County~~

A public hearing was held on November 16, 1982, at 8:00 P.M. in the Warren County Circuit Courtroom for the purpose of discontinuing a section of Route 622 in Warren County. The section in question is 1.39 mile East of Route 649 to 1.10 mile North of Route 634, a total distance of 0.61 mile.

There were approximately 30 people in attendance for the hearing, 9 of whom spoke. Five of the speakers were in opposition to the discontinuance. They were horseback riders and Browntown area residents who feel that the road should remain open and the gates unlocked. Since there is no fence on one side of the right of way, the gates are necessary to contain cattle. Mr. Larivee, one of the principal landowners, has given keys to the horseback riders, but they simply do not want to dismount their horses to unlock the gates. The remaining four speakers, three of whom were the property owners that will be affected, were in complete agreement with our plan for discontinuance. They stated that since the road has been closed to vehicular traffic for at least forty years there is no reason now to open it back up. Mr. Larivee has experienced problems with his cattle due to the gates being left open.

The Board of Supervisors by a 4-to-1 vote wants the road left in the Secondary System and remain open for horseback riders and hikers. It still remains our desire to have this section of road discontinued. There were no statements made at the Public Hearing that were good reasons for leaving the road in the Secondary System. I feel that all of our secondary roads shown on the county maps should be travelable with a motor vehicle and this is certainly not true with this road. It would take a considerable amount of improvement funds to bring this section of road up to a maintainable standard. I cannot justify spending a nickel on this road, due to the limited service it would provide. The Shenandoah National Park service has a gate across the road on the southern end of this section, so even if this section was open to traffic it could not be considered a through road.

We are, therefore, recommending to the Highway Commission that this section of road be officially discontinued as proposed.

If additional information is needed, please advise.

M. L. Dickerson, Resident Engineer

MLD:R

CC: Mr. P. F. Cecchini

*MAC, Please advise
Sandy J. [unclear]
a [unclear] with [unclear]*

HAY - DEPUTY COMMISSIONER
 COUNCIL - DEPUTY COMMISSIONER, BRISTOL DISTRICT
 BRISTOL - DEPUTY COMMISSIONER, SALEM DISTRICT
 WILLIAM - DEPUTY COMMISSIONER, SOUTH BOSTON, LYNCHBURG DISTRICT
 WILLIAM - DEPUTY COMMISSIONER, RICHMOND DISTRICT
 WILLIAM - DEPUTY COMMISSIONER, YORKTOWN, SUFFOLK DISTRICT
 WILLIAM - DEPUTY COMMISSIONER, WEST POINT, FREDERICKSBURG DISTRICT
 WILLIAM - DEPUTY COMMISSIONER, SPRINGFIELD, CULPEPER DISTRICT
 H. DELVER ROBINSON, JR., WINCHESTER, STAUNTON DISTRICT
 T. RAY HASSELL, III, CHESAPEAKE, AT LARGE-URBAN
 CHARLES S. HOCKER, JR., CREWE, AT LARGE-RURAL



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION
 1221 EAST BROAD STREET
 RICHMOND, 23219

LEO E. BUSCH, III
 DEPUTY COMMISSIONER & CHIEF ENGINEER
 J. T. WARREN
 DIRECTOR OF ADMINISTRATION
 J. M. WIRAY, JR.
 DIRECTOR OF OPERATIONS
 H. R. PERKINSON, JR.
 DIRECTOR OF PROGRAM MANAGEMENT
 W. L. BRITTLE, JR.
 DIRECTOR OF ENGINEERING
 OSCAR K. MABRY
 DIRECTOR OF PLANNING
 H. W. WORRALL
 DIRECTOR OF FINANCIAL AFFAIRS

IN REPLY PLEASE REFER TO

Telephone 703-743-6585
 P. O. Box 308
 Luray, Virginia 22835
 October 25, 1982

Northern Virginia Daily
 Front Royal, Virginia 22630

Gentlemen:

Please publish the attached notice of Public Hearing in your newspaper
 two times - November 4 and November 13, 1982.

Billing and verification of publication should be sent to this office
 at Luray for payment.

Very truly yours,

M. L. Dickerson

M. L. Dickerson
 Resident Engineer

CC: J. Ron George, Administrator
 W. F. McCormick

Attachment



Handwritten initials

PUBLIC NOTICE

Pursuant to Section 33.1-150 of the Code of Virginia of 1950, as amended the Virginia Department of Highways and Transportation and the Warren County Board of Supervisors will hold a public hearing at 8:00 P.M. on November 16, 1982, in the Warren County Circuit Courtroom for the proposed discontinuance of maintenance of Route 622 from 1.39 mile East of Route 649 to 1.10 mile North Route 634, a distance of 0.61 miles of Secondary Road in Warren County. Any interested person who should have questions about this proposal should appear at the hearing to make their views known.

J. Ronald George, Administrator

DEPARTMENT OF HIGHWAYS & TRANSPORTATION
INTRA-DEPARTMENTAL MEMORANDUM

TO : Mr. P. F. Cecchini Attn: Mr. W. F. McCormick Luray, Virginia
FROM : M. L. Dickerson October 21, 19 82
SUBJECT: Public Hearing Discontinuance Route 622 Proj. _____
Warren County

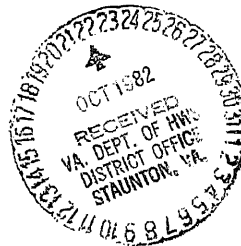
In reference to your letter dated October 18, 1982, please be advised that the public hearing will be conducted by us for the Board of Supervisors, at their request. We have proceeded to advertise for the hearing on the 16th of November.

In addition to Route 622, we have eight (8) other sections of roads in Warren County that need to be discontinued and we propose to remove them from the Secondary System at this time.

If there should be additional questions, please let me know.

M. L. Dickerson
M. L. Dickerson
Resident Engineer

MLD:1



Re
7/11/82

Mr. M. L. Dickerson

Staunton

Paul F. Cecchini

October 18, 82

Public Hearing Discontinuance

622

Warren County

This is with reference to your memorandum dated October 6, 1982, captioned as above wherein you advise that the Board voted to hold a public hearing on November 16, 1982, at 8:00 p.m.

It would appear that the Department is responsible for holding the hearing, not the Board of Supervisors. Section 33.1-150 Code of Virginia reads in part, "If the Commission on its own motion desires to discontinue any such road or crossing, notice shall be given the governing body of the county or town at least thirty days prior to any discontinuance of a road or crossing under this section. If the governing body of any county or town requests a hearing, the Commission, or a representative thereof, shall hold a hearing in the county in which the road or crossing is located in order to ascertain whether or not such road or crossing should be discontinued."

Mr. L. E. Busser's letter to the Board of Supervisors dated September 17, 1982, states in part last paragraph, "Should the county desire a public hearing, the Board must notify Mr. M. L. Dickerson, the Department's Resident Engineer, prior to November 1, 1982, so that arrangements can be made for the hearing."

It appears the Board is in error in establishing the public hearing. Should they desire one, they should have notified you and we in turn would arrange for the hearing. It appears we have a legal conflict in this matter which should be resolved.

Paul F. Cecchini
District Engineer

BY: W. F. McCormick
Assistant District Engineer

WFM/p

Lurray Residency

September 17, 1982

Route 622
Warren County

Mr. Robert F. Looney, Chairman
Warren County Board of Supervisors
P. O. Box 908
Front Royal, Virginia 22630

Dear Mr. Looney:

Section 33.1-150 of the Code of Virginia, as amended, enables the State Highway and Transportation Commission to discontinue State maintenance on any secondary road or crossing not required for public convenience.

Based on its condition and other available evidence, the middle 1.1 miles section of Route 622 located between the intersections of Routes 649 and 634 in the Lands Run area, no longer provides a service warranting public expenditure.

With the County Board taking no action to abandon this portion of Route 622 from the secondary system, the Department finds it necessary to undertake discontinuance under its own initiative as provided for under Section 33.1-150.

The Board is, therefore, herewith notified of the Commission's intent to discontinue Route 622 from 1.0 mile east of Route 649 to 1.0 mile north of Route 634, a distance of 1.1 miles, effective November 18, 1982.

Section 33.1-150 also provides that a public hearing must be held if so requested by the County. Should the County desire a public hearing, the Board must notify Mr. M. L. Dickerson, the Department's Resident Engineer, prior to November 1, 1982, so that arrangements can be made for the hearing.

Sincerely,


Leo E. Busser, III
Deputy Commissioner

Cc: Mr. P. F. Cecchini
Mr. M. L. Dickerson

DLC/ajm

Bcc: Mr. O. K. Mabry
Mr. A. S. Brown
Mr. C. O. Leigh
Mr. A. L. Thomas, Jr.



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HIGHWAYS

W.F. McCormick

Telephone 703-743-6585
P. O. Box 308
Luray, Virginia 22835
October 20, 1982

Northern Virginia Daily
Front Royal, Virginia 22630

Gentlemen:

Please publish the attached notice of Public Hearing in your newspaper
two times - November 4 and November 13, 1982.

Billing and verification of publication should be sent to this office
at Luray for payment.

Very truly yours,

M. L. Dickerson
Resident Engineer

CC: J. Ron George, Administrator
W. F. McCormick

Attachment

MR. GEORGE: PLEASE ALSO POST COPY ON
COURTHOUSE IN PROMINENT PLACE.
MLD

Due to the fact that several
routes will be involved
the Board set the date for
all routes including 622
covered in Mr. Busser's memo.
The hearing will be conducted
by the Department, not the
Board as was originally
thought.

WFM

JS

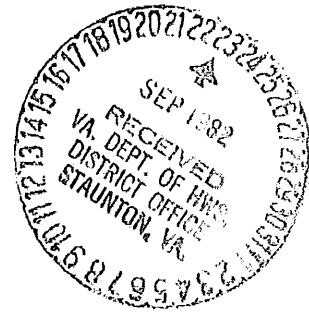
PUBLIC NOTICE

Pursuant to Section 33.1-150 of the Code of Virginia of 1950, as amended, the Virginia Department of Highways and Transportation and the Warren County Board of Supervisors will hold a public hearing at 8:00 P.M. on November 16, 1982, in the Warren County Circuit Courtroom for the proposed discontinuance of maintenance on the following sections of Secondary roads in Warren County:

<u>Route</u>	<u>From</u>	<u>To</u>	<u>Length</u>
615	Rte. 626 W	0.27 mi. N. Rte. 626	0.27 mi.
622	1.39 mi. E. Rte. 649	1.10 mi. N. Rte. 634	0.61 mi.
626	0.31 mi. N. Shenandoah River	Shenandoah River	0.31 mi.
630	1.97 mi. S. Rte. 613	Dead End	0.28 mi.
633	0.32 mi. E. Rte. 632	Dead End	0.15 mi.
634	1.05 mi. E. Rte. 622	Dead End	0.15 mi.
636	0.46 mi. W. Rte. 638	Dead End	0.54 mi.
673	1.13 mi. S. Rte. 623	Dead End	0.12 mi.
842	Rte. 612	Dead End	0.20 mi.

Any interested citizen who should have any questions about these proposed discontinuances should appear at the hearing to make their views known.

Staunton District



September 17, 1982

Route 622
Warren County

Mr. Robert F. Looney, Chairman
Warren County Board of Supervisors
P. O. Box 908
Front Royal, Virginia 22630

Dear Mr. Looney:

Section 33.1-150 of the Code of Virginia, as amended, enables the State Highway and Transportation Commission to discontinue State maintenance on any secondary road or crossing not required for public convenience.

Based on its condition and other available evidence, the middle 1.1 miles section of Route 622 located between the intersections of Routes 649 and 634 in the Lande Run area, no longer provides a service warranting public expenditure.

With the County Board taking no action to abandon this portion of Route 622 from the secondary system, the Department finds it necessary to undertake discontinuance under its own initiative as provided for under Section 33.1-150.

The Board is, therefore, herewith notified of the Commission's intent to discontinue Route 622 from 1.0 mile east of Route 649 to 1.0 mile north of Route 634, a distance of 1.1 miles, effective November 18, 1982.

Section 33.1-150 also provides that a public hearing must be held if so requested by the County. Should the County desire a public hearing, the Board must notify Mr. M. L. Dickerson, the Department's Resident Engineer, prior to November 1, 1982, so that arrangements can be made for the hearing.

Sincerely,


Leo E. Russar, III
Deputy Commissioner

Cc: Mr. P. F. Gecchini
Mr. M. L. Dickerson

DLC/ajm

Bcc: Mr. O. K. Mabry
Mr. A. S. Brown
Mr. C. O. Leigh
Mr. A. L. Thomas, Jr.



ALFRED C. KING, COMMISSIONER

MR. P. F. CECCHINI -

STAUNTON DIST. ENG.

EUGENE M. BANE, GRUNOV, BRISTOL DISTRICT

T. GEORGE VAUGHAN, JR., GALAX, SALEM DISTRICT

WILLIAM R. ATKINS, SOUTH BOSTON, LYNCHBURG DISTRICT

WILLIAM F. MOHR, RICHMOND, RICHMOND DISTRICT

EDWARD G. BRYAN, VIRGINIA BEACH, SUFFOLK DISTRICT

H. R. HUMPHREYS, JR., WEEMS, FREDERICKSBURG DISTRICT

JOSEPH M. GUIFFRE, ALEXANDRIA, CULPEPER DISTRICT

ROBERT A. SMALLEY, BERRYVILLE, STAUNTON DISTRICT

T. E. GENE SMITH, MCLEAN, AT LARGE-URBAN

ROBERT A. QUICKE, BLACKSTONE, AT LARGE-RURAL



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION

1221 EAST BROAD STREET
RICHMOND, 23219

August 30, 1982

LEO E. BUSSEY, III
DEPUTY COMMISSIONER

J. M. WRAY, JR.
CHIEF ENGINEER

J. T. WARREN
DIRECTOR OF ADMINISTRATION

OSCAR K. MABRY
DIRECTOR OF PLANNING

H. W. WORRALL
DIRECTOR OF FINANCE

JACK HODGE
ASSISTANT CHIEF ENGINEER

IN REPLY PLEASE REFER TO

A. S. BROWN
ATE SECONDARY ROADS ENGINEER

Route 622
Warren County

MEMORANDUM

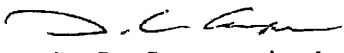
TO: Mr. O. K. Mabry

I am attaching a copy of Mr. Cecchini's memorandum of August 10, 1982, to Mr. Leigh which was recently forwarded to this office by the Maintenance Division.

Apparently this road was accepted into the Secondary System in 1932 under the "Byrd Act." Current traffic counts indicate 31 vpd use the section of this route from Route 634 to the section in question and 116 vpd travel the Route 649 end. This 1.1 mile section is recorded with 0 vpd. Such reflects Mr. Cecchini's position that no public service is provided for motor vehicles on this portion of Route 622. Even the citizens now requesting the unrestricted use of the right of way do so for recreational related purposes rather than for public transportation. Without a true public need to use this right of way, I question the advisability of the Department attempting to force free access even if such might be permitted under the statutes.

I recommend the Board be advised of the Department's intent to proceed under the provisions of Section 33.1-150 of the Code to discontinue maintenance on this 1.1 mile section due to the lack of public service it provides. By doing so would remove the Department from this controversy but not extinguish any right the public may now have to use this area. The alternative would be to provide the necessary funds from the County's Secondary Construction Budget to improve this road to the point it could be reasonably traveled by motor vehicles.

Your guidance in this matter is requested.


D. L. Camper, Assistant
Secondary Roads Engineer

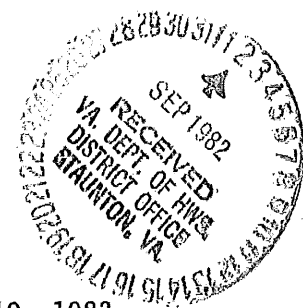
DLC/ajm
Attachment

Cc: Mr. P. F. Cecchini

Mr. C. O. Leigh

Mr. M. L. Dickerson

attached by sent 9-1-82



Mr. C. O. Leigh

Staunton

Paul F. Cecchini

August 10

82

Gated Right of Way

622

Warren County

Attached is a copy of correspondence related to a request by several citizens for use of right of way which is apparently still a part of the Secondary System but has not been maintained for a number of years. You may recall we had a similar situation on Route 601 in Warren County several months past. In the 601 incident we have removed the barricades twice. No doubt they will be reerected again.

The Route 622 incident mentioned by Mr. Dickerson, like 601, involves sections of road on which no one lives; therefore, no maintenance has been performed for many years. The abutting property owners have assumed ownership and are not allowing for free passage of the public.

Mr. Dickerson has attempted to get the Board of Supervisors to take action to either discontinue or abandon these sections, but they consistently refuse to do so. Insofar as the Department is concerned, we perform no maintenance and have not for many years, thus abandonment or even discontinuance would create no problem to us.

It would appear that we still have the legal rights to request the property owner to either unlock or remove the gates to permit passage of those members of the public who wish to use it. Mr. Dickerson feels there might be a legal question involved since we have not performed any maintenance for many years. He suggests our attorneys might advise us in the matter.

Your review and recommendations would be appreciated.

Paul F. Cecchini
District Engineer

BY: W. F. McCormick
Assistant District Engineer

WFM/p

Att.

CC: Mr. M. L. Dickerson

DEPARTMENT OF HIGHWAYS & TRANSPORTATION
INTRA-DEPARTMENTAL MEMORANDUM

TO : Mr. P. F. Cecchini Attn: Mr. W. F. McCormick Luray, Virginia
FROM : M. L. Dickerson August 5, 1982
SUBJECT: Route 622 - Warren County Route _____ Proj. _____

Attached is a copy of a letter from Victoria Wright Strosnider dated August 2, 1982, along with a signed petition concerning the opening of Route 622 in Warren County to horseback riders and hikers. Mrs. Strosnider had previously written to Mr. Cecchini on June 30, 1982, about this matter.

The section of road that Mrs. Strosnider is speaking of lies between Routes 649 and 634 in the Lands Run area. At the present time we are maintaining 1.0 mile on each end of this road. The 1.10 mile section in the middle has not been maintained for probably forty years. None of the old-timers that are working now ever remember doing any work on this road. At the present time the road is certainly not travelable with a motor vehicle, and there is little evidence that a road even exists.

One of the property owners, Bernard Larivee, has erected two gates across the road. It is his opinion that the road has been abandoned and he can do what he very well pleases. He has no objection to horseback riders coming through his property, as long as they keep the gates closed. He has given keys to several of the riders for their convenience.

This road passes through the Shenandoah National Park for a distance of approximately 300 feet and, of course, a locked gate is up at this part also.

I discussed this matter with the Warren County Board of Supervisors on August 3, 1982, and, as expected, they want the road left open to the public. I try to impress upon them the fact that all Secondary roads in the highway system should be travelable and provide some public service, but the Board is very reluctant to discontinue any of these roads in the county.

As far as I am concerned, the road can remain closed because it would take improvement money to open it up to the public. It might be difficult to ask the property owner to remove the gates on this untraveled road after all these years of no maintenance. It would be interesting to know what our attorneys might advise us to do in this particular case.

Any help that you might be able to provide will be appreciated.



M. L. Dickerson, Resident Engineer

MLD:1
Attachments

Liberty Hall
Route 1, Box 353
Front Royal, VA 22630
August 2, 1982

M.L. Dickerson
Box 308
Department of Highways and Transportation
Luray, VA 22835

Dear Mr. Dickerson,

Enclosed is a petition signed by concerned area citizens requesting unrestricted use of the Lands Run portion of Route 622 which is now obstructed by locked gates.

As my previous letter indicated it is not to the advantage of horse back riders and hikers to have the road maintained in any fashion. The only expense to your department would be the removal of said gates.

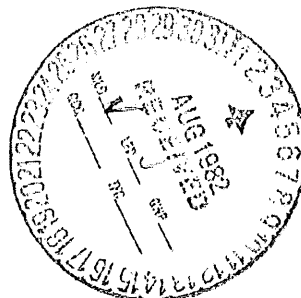
Your assistance in this request will be greatly appreciated.

Sincerely,
Victoria Wright Strosnider
Victoria Wright Strosnider
1- 703 - 635 - 8250

encl.

cc. Front Royal Department of Highways

P.F. Cecchine - Virginia Department of Highways and Transportation



TO: M.L. Dickerson
Department of Highways and Transportation
Box 308
Luray, VA 22835

FROM: UNDERSIGNED CITIZENS

SUBJECT: Unrestricted use of Route 622 unsurfaced road in
Lands Run area of Warren County

A small portion of Route 622 in Warren County is blocked by locked gates which prevent access by both horse back riders and hikers. The undersigned respectfully request the removal of these gates. It is not to the advantage of the undersigned to request maintenance of this portion of Route 622. Our simple goal is to receive unrestricted use of the right-of-way for horses and hikers. Your support in our efforts will be greatly appreciated.

Victoria Night Schneider
H. E. Baggaly
W. R. Clegg
Orville Baker
Sharon Sharpe
George B. Baggaly
Julia Good
Elsie Miller
Vallie Deavers
Elizabeth Cooper
Ray Lewis Cooper
Frances W. Baggaly
Burt & Norma Clegg

Glysses J. Clegg
Mary C. Robinson
Stacy Lockhart
Jerry J. Matthews
Rick L. Matthews
Jo Anne J. Marney
Wilson J. Marney
C. C. Clegg
Nixie Clegg
Geraldine Clegg
Anna Nixerman
Gerald Thomas Jaramila
Jean Baggaly
Nora J. Schneider

Liberty Hall
Route 1, Box 353
Front Royal, VA 22630
August 2, 1982

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Victoria Wright Strosnider
Victoria Wright Strosnider
1- 703 - 635 - 8250

encl.

cc. Front Royal Department of Highways

P.F. Cecchine - Virginia Department of Highways and Transportation

*Letter has been
written to Mr. C.O. High
requesting legal advice
on procedure.
WFM*

TO: M.L. Dickerson
Department of Highways and Transportation
Box 308
Luray, VA 22835

FROM: UNDERSIGNED CITIZENS

SUBJECT: Unrestricted use of Route 622 unsurfaced road in
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Harold E. Baggaley
W. R. Clegg
Orville Baker
Sharon Sharpe
George B. Baggaley
Julia Good
Elsie Miller
Vallie Deamers
Elizabeth Cooper
Ray Lewis Cooper
Frances W. Baggaley
Rudolph A. Emmell

Ulysses J. Plegg
Mary L. Robinson
Stacy Lockhart
Jerry J. Matthews
Ricky L. Matthews
Jo Anne J. Marney
Wilson J. Marney
Mixer Plegg
Geraldine Clegg
Arina Nixerman
Gerald Thomas Jarmine
Jean Baggaley
Harold E. Straninger







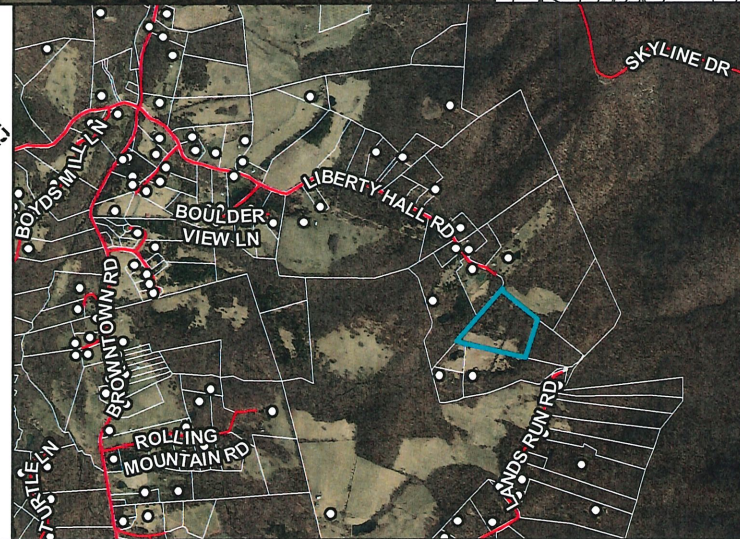
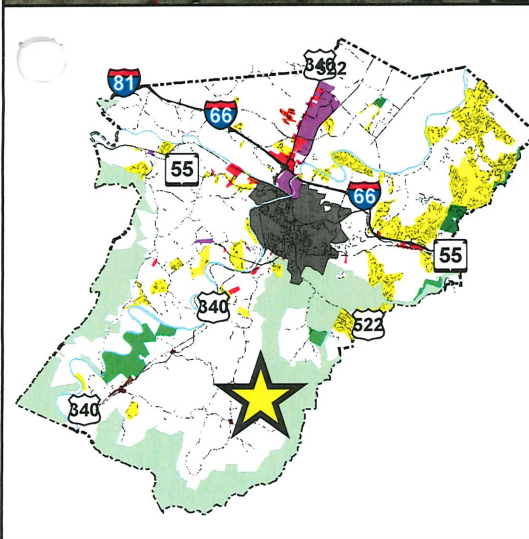
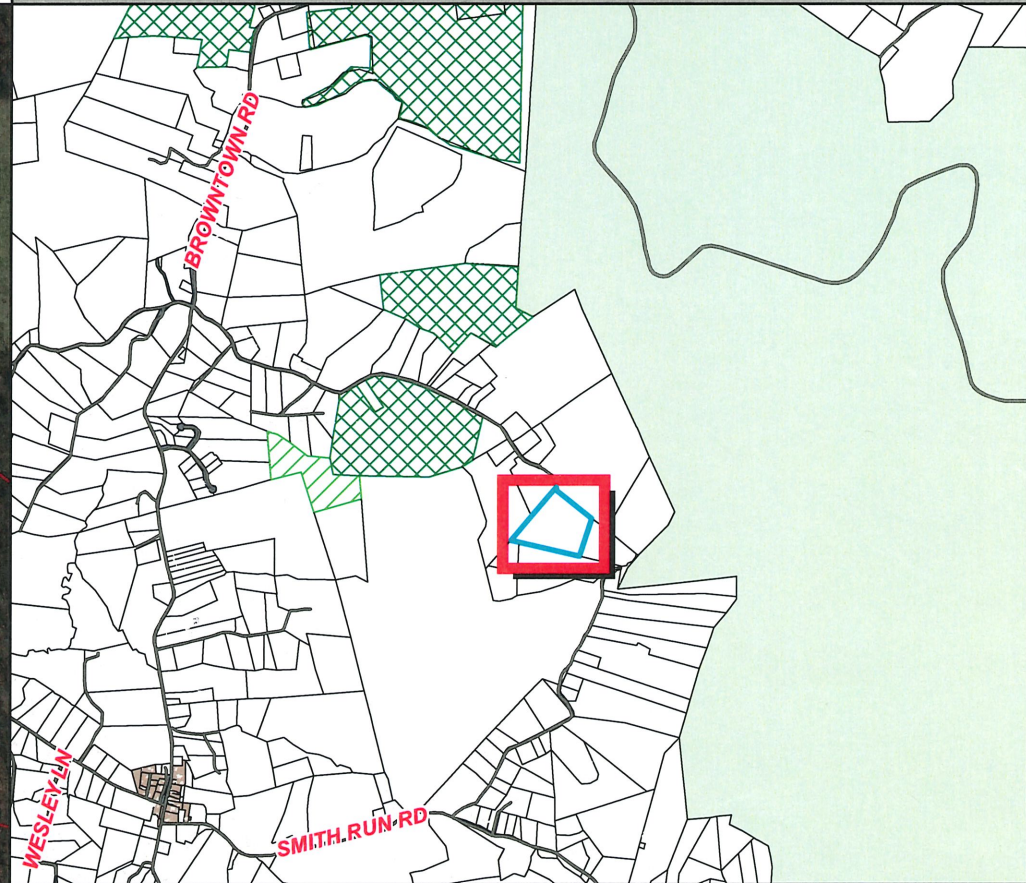
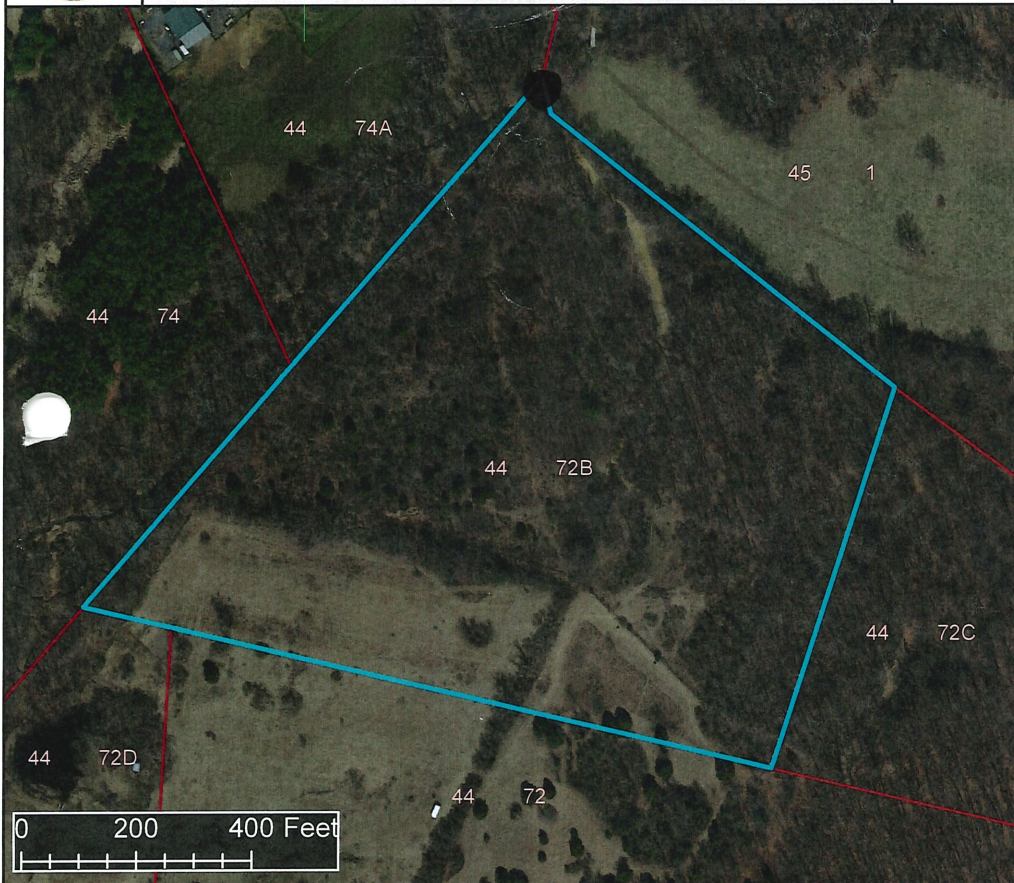
Warren County VA

CUP Location Map



CUP: Guest House
Applicant: Ryan Speers

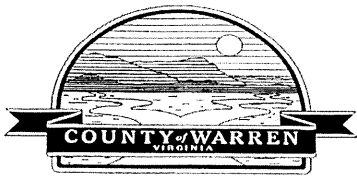
TM 44-----72B
Liberty Hall Road
20.7889 Acres



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2021
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
06/01/2021	N-10	Conditional Use Permit #2021-04-02 David Khol <i>Short-Term Tourist Rental</i>

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- 1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- 2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- 5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- 6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - c) Provide for adequate parking and ingress and egress to public streets or roads.
 - d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - e) Prevent such use from changing the character and established pattern of development of the community.

PLANNING COMMISSION STATUS:

On Wednesday, May 12, 2021, Mr. Kersjes moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Henry and approved by the Planning Commission by a vote of 3-0.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

SUBMITTED BY:

Joseph Petty, 
Planning Director

DISPOSITION OF COMMISSION:

☐

APPROVED

☐

OTHER (Describe)

**PROCESSED
BY:**



Conditional Use Permit: 2021-04-02 / Short-Term Tourist Rental

David Khol, Current Owner/Applicant

Prepared: April 7, 2021

Staff Contact: Joseph Petty, Zoning Administrator

SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a Short-Term Tourist Rental. The owner currently uses the dwelling as their permanent residence, and the rental will be available for short-term visitations for individuals who will be visiting the Warren County area while the owner is out-of-town. The home will be maintained by a local property manager for reservations.

PROPERTY INFORMATION

Property Location: 519 Freezeland Road

Tax Map ID: 23-----5A1

Magisterial District: Happy Creek

Subdivision: N/A

City: Linden

Zoning: Agricultural (A)

Acres: 2.58 Acres (16.99 Acres total)

Existing Land Use: Single-Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Zoned Agricultural (A)

South: Zoned Agricultural (A)

East: Zoned Agricultural (A)

West: Zoned Agricultural (A)

Use: Single-Family Dwelling, Forest

Use: Vacant Lot, Forest

Use: Vacant Lot, Forest

Use: Single-Family Dwelling, Forest

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The house was constructed in 2006 and does not have a record of any previous zoning violations.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for agriculture/residential land uses. A Short-Term Tourist Rental is a use allowed by conditional use permit in the Agricultural zoning district, and is compatible with the current Warren County Zoning Ordinance.

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

ATTACHMENTS

☐ Agency Comments

☐ Location Map

☐ Application

☐ Public Comments

☐ Health Permit

☐ Submitted Plans

☐ Letter from Applicant

☐ Other: _____

SUPPLEMENTARY REGULATIONS
Warren County Zoning Ordinance: § 180-56.4: Short-term tourist rentals.

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however the maximum number of occupants shall not exceed 10. **Our office is awaiting the response from the Health Department. The applicants have provided documents requesting a three (3) bedrooms with a six (6) person maximum.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all right-of-ways and in yards. **There is sufficient parking for at least two (2) vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **The property is situated on an interior lot, with two sides bordering adjacent properties containing a single-family dwelling. Most of the area is forest land, the area to the south and east is are vacant parcels that are heavily forested.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24 hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided by public hearing. The application does list a local property manager.**
- I. If the property is located within a subdivision governed by a Home Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. **This property is not located within an HOA/POA.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.

- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.
- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **This short-term tourist dwelling does meet the setback requirement to adjacent single-family dwellings. The closest dwelling is 347' to the north, which is also separated by Freezeland Road. The closest dwelling by contiguous land is 412' to the northwest.**

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. *Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.*

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six (6) as determined according to the Health Department permit for a three (3) bedroom dwelling.
3. The applicants shall provide documentation to County Staff for the maintenance of the sewage treatment system as recommended by the Warren County Health Department.
4. The applicants shall have the well water tested annually for e- coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Cc: David Khol – Owner/Applicant

March 17, 2021

Dear Warren County Planning Commission,

The first time I visited 519 Freezeland Rd in Linden, I fell in love with the property immediately. I had been looking for a new home for over a year, but the moment I saw this property, I knew this was it. I immediately called my realtor, and soon put in an offer. For years I have visited Warren County as a chance to get out of the city and enjoy long hikes or camping trips in the woods. Now I am a resident. By purchasing the adjacent lot, I now have a total of 17 acres of woods with a private pond. I enjoy the peace and tranquility of drinking my morning coffee on my deck, while listening to the songbirds in my yard.

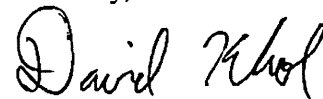
I see my home as an escape from the bustle of city life, and I think that others will love the same things that first made me fall in love with my home. While this property will still be my primary residence, I would like to open it up as a short term rental through Air BnB for the times that I will be away from home for camping trips, obstacle course race weekends, or work travel. This will give others the opportunity to escape the city to enjoy the tranquility, while raising funds for the county through tax revenue and tourism. I will benefit by putting my home to use during times it would otherwise sit empty.

Using my home as a short term rental while I am away will benefit the community by bringing people in who will then visit local vineyards, restaurants, and other tourist attractions. It will give visitors a chance to spend quality time in Warren County, because they will be able to stay here locally. They will stay longer than if they were to drive in and back out to Washington DC, or wherever their home is. The impact to the community will be negligible, as my home sits on 17 acres of woods. Visitors will be drawn to my home because of the privacy and tranquility it offers, so neighbors would likely not even notice whether or not anyone is using my home as a short term rental. Additionally, because the pond and the woods are the main draws to the property, I will keep the natural look to the property with only the addition of more flowers and trees.

I have reached out to Jamie Inlow from Be Still Getaways to manage my property when I am gone. She has considerable experience managing short term rentals for others here in Virginia, and she will be available at all times to address any concerns with the property or the renters. Be Still Getaways consistently receives positive reviews for their short term rental management, and their excellent customer service. I have full confidence that my home will be in good hands with Jamie and Be Still Getaways. You can reach Jamie directly at bestillgetaways@gmail.com, at 540-649-5336, or online at www.bestillgetaways.com.

Alternately, you can always reach me at davidkhol@gmail.com or at 804-502-1901. This will primarily still be my home, and I plan to enjoy it for years to come. Thank you for your time, and your consideration of my request to use my home as a short term rental.

Sincerely,

A handwritten signature in black ink that reads "David Khol". The signature is written in a cursive, flowing style.

David Khol

**WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION**

Application Number: _____
Date Received: 3-17-2021
Fee Amount: \$ 500.00
Date Paid: 3-17-2021 #2222

Applicant Information:

David Khol
Applicant Name
519 Freezeland RD Linden VA 22642
Address City State Zip

Property Location for conditional use permit if Different than Applicant's Address

804-502-1901 DavidKhol@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 519 Freezeland Rd, Linden, VA 22642
- (2) Election District: Happy Creek District
- (3) Tax Map Number: 23 5A1, 23 5A, 23 5A2
- (4) Subdivision Name: _____
- (5) Total Area of Property (acres): 17.008
- (6) Total Area to be Used (acres): 17.008
- (7) Total Road Frontage (feet): 3,122
- (8) Depth of Property (feet): _____
- (9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short term rental
- (2) Current land use and condition of site: Single-Family Residential
- (3) Zoning of surrounding land/property: Agricultural
- (4) Will development be staged? ☐ Yes ☒ No
- (5) Construction Time: N/A
- (6) Season, days, and hours of operation: Periodically throughout the year
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) No
- (9) Number of full time employees: 0
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: Approx. 7
- (12) Number of parking spaces to be provided: Regular 2 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) No, the short term rental will have no visible impact on the community or on the environment.

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) The short term rental will generate typical household debris. This debris will be disposed of at a county refuse collection point, separating recyclables from landfill trash.
- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) No, any household cleaners used and stored at this location will be septic-safe. In the future, I may install a hot tub. If I do, then I will store chemicals to purify the water.
- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. None beyond typical household emissions.
- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) No
- (6) What will be the impact on traffic? Impact on traffic will be negligible. Guests will likely only bring one vehicle, which they will use to visit wineries or other local attractions.
- (7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. None beyond typical household use.

**The following documents and/or information are required
to be submitted with the application:**

☒ **An application fee of \$500.00.**

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

☐ **A Statement of Justification**

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.

☐ **A Site Plan/Survey.**

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

☐ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☐ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☐ **A statement verifying that real estate taxes have been paid.**

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

☐ **Environmental and Community Impact Statements**

The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

☐ **List of chemicals stored on the site**

A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

☐ **Location Map**

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

☐ **Directions to your property from the Warren County Government Center.**

My property is 15 minutes away from the Warren County Government Center. Head South on N Commerce Ave for 1 mile. Turn Left onto VA-55, and follow it for 6 miles. Turn Left onto State Rte 638/Freezeland Rd. My property will be on the left in about 3/4 miles.

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.

David Khol
Applicant Signature

03/17/2021
Date

Property Owner Signature

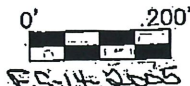
Date

Accepted by: [Signature]

Date: 3-17-2021

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES



Appendix 6
Abbreviated Design Form

For use with gravity and pump drainfields, enhanced flow systems and low pressure distribution systems when applying for a certification letter or subdivision approval.

Design Basis

A. Estimated Percolation Rate

65 m.p.i.

B. Trench bottom square feet required per bedroom (from Table 4.6 based on ☐ Gravity ☐ LPD)

$$\frac{450 \text{ m.p.i.}}{0.77} = 585 \text{ ft}^2 \div 2 \text{ ft} = 293 \text{ l.p.d.}$$

C. Number of bedrooms

3

Area calculations

D. Length of trench

75'

Length of available area

> 75'

E. Width of trench

2'

F. Number of trenches

8

4 in drainfield
4 in RESERVE

G. Center-to-center spacing

7'

H. Width required

51'

Width of available area

> 51'

I. Total square footage required (line B times line C)

585 ft²

J. Square footage in design (D * E * F)

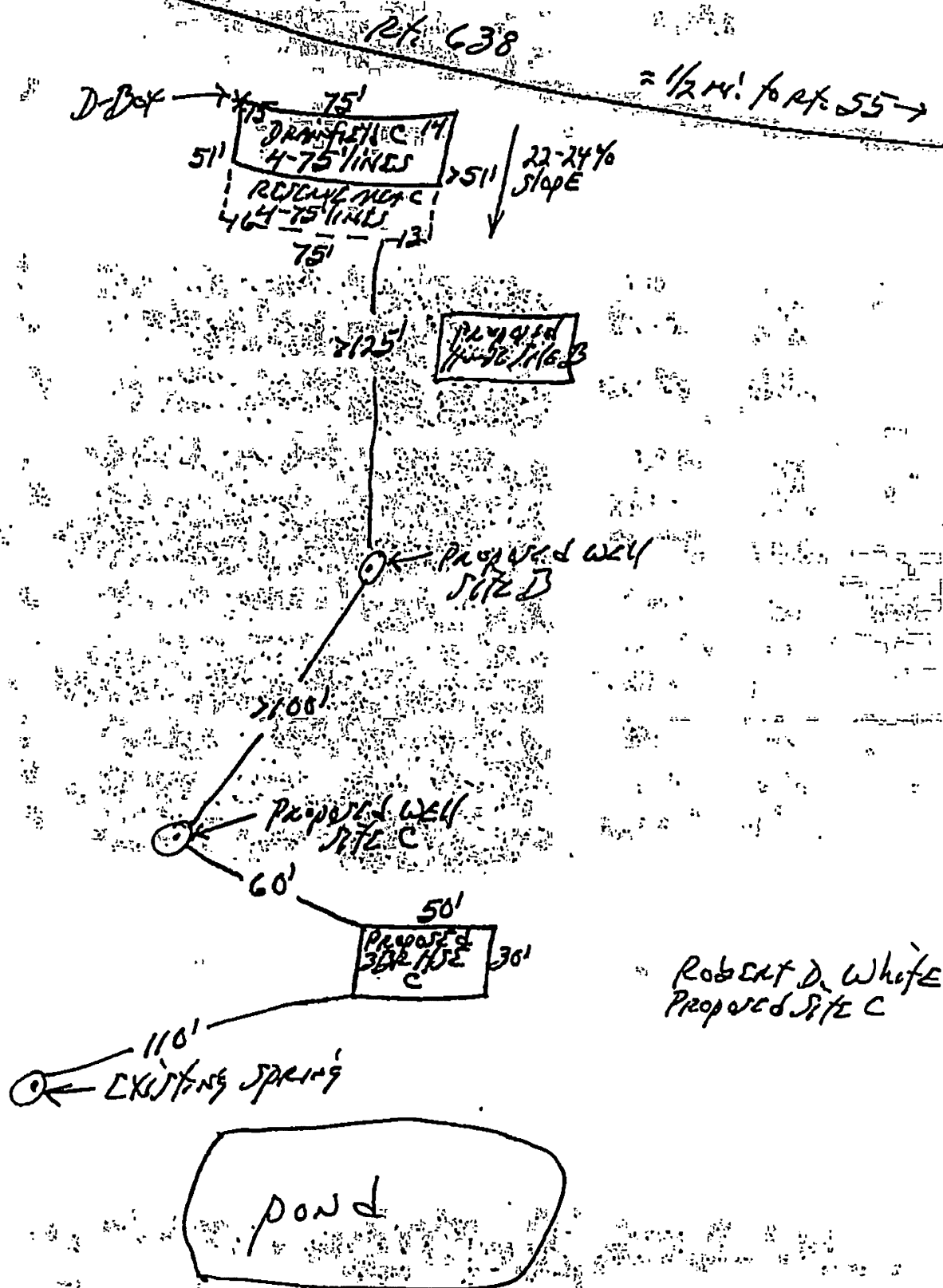
600 ft²

K. Is a reserve area required? 100% ☒ yes ☐ No

4-75' LINES → 600 ft²

Installation Depth → 22"

Drainfield → 4-75' LINES } 8-75' LINES (7' centers) → 51' x 70'
RESERVE → 4-75' LINES

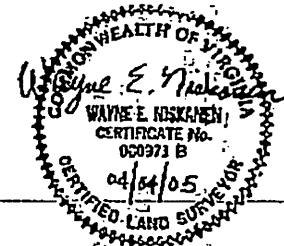
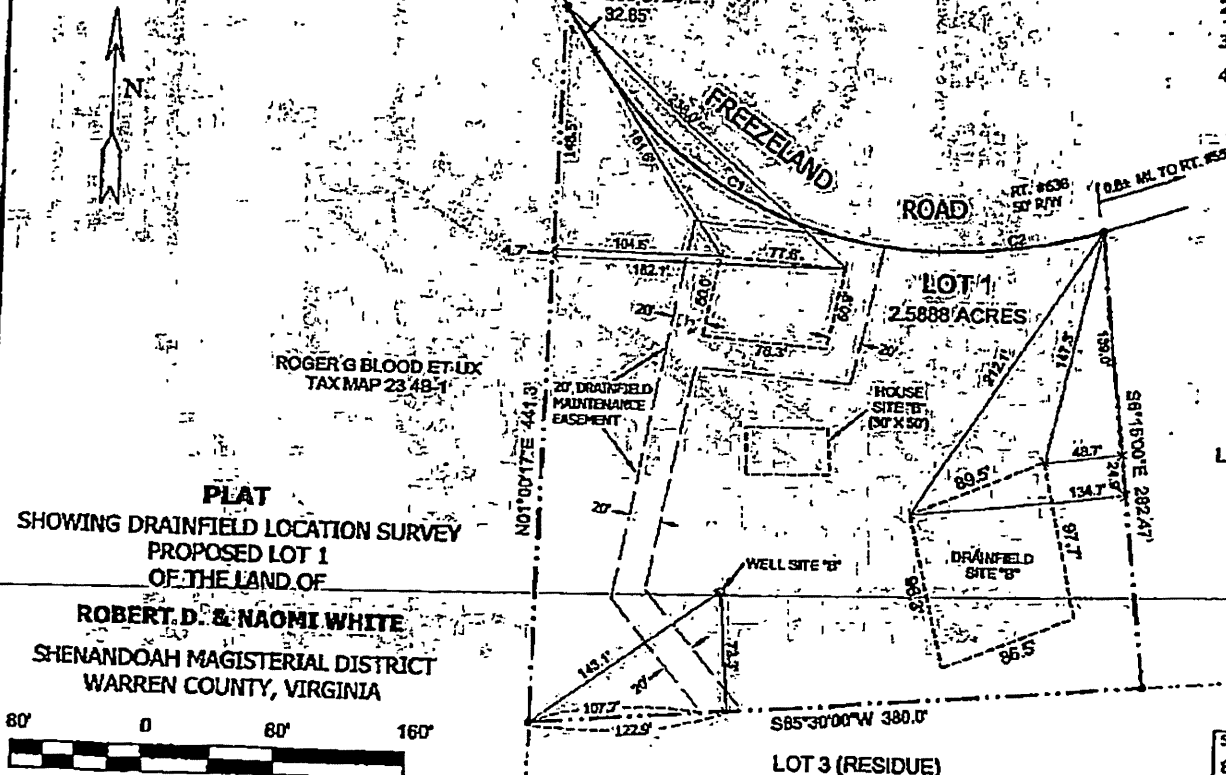


Robert D. White
Proposed Site C

CURVE	RADIUS	ARC	DELTA	TANGENT	CHORD BRG.	CHORD LEN.
C1	265.00	258.67	55°55'37"	140.69	S81°49'13"E	248.52
C2	375.00	104.26	15°55'46"	52.47	N82°15'06"E	103.92

NOTES:

1. Owners: Robert Downing White & Naomi White by deed recorded in Deed Book 492 at Page 707.
2. See Tax Map 23-5A.
3. Zoned Agricultural (A).
4. —●— Denotes Iron Pin.



PREPARED BY:
LAND SURVEYS, PLLC
FRONT ROYAL, VIRGINIA

SCALE:	DATE:	DRAWN BY:
80 Ft/In	4/04/2005	brp
JOB:	FE:	REVISIONS:
W04-47	182/26	

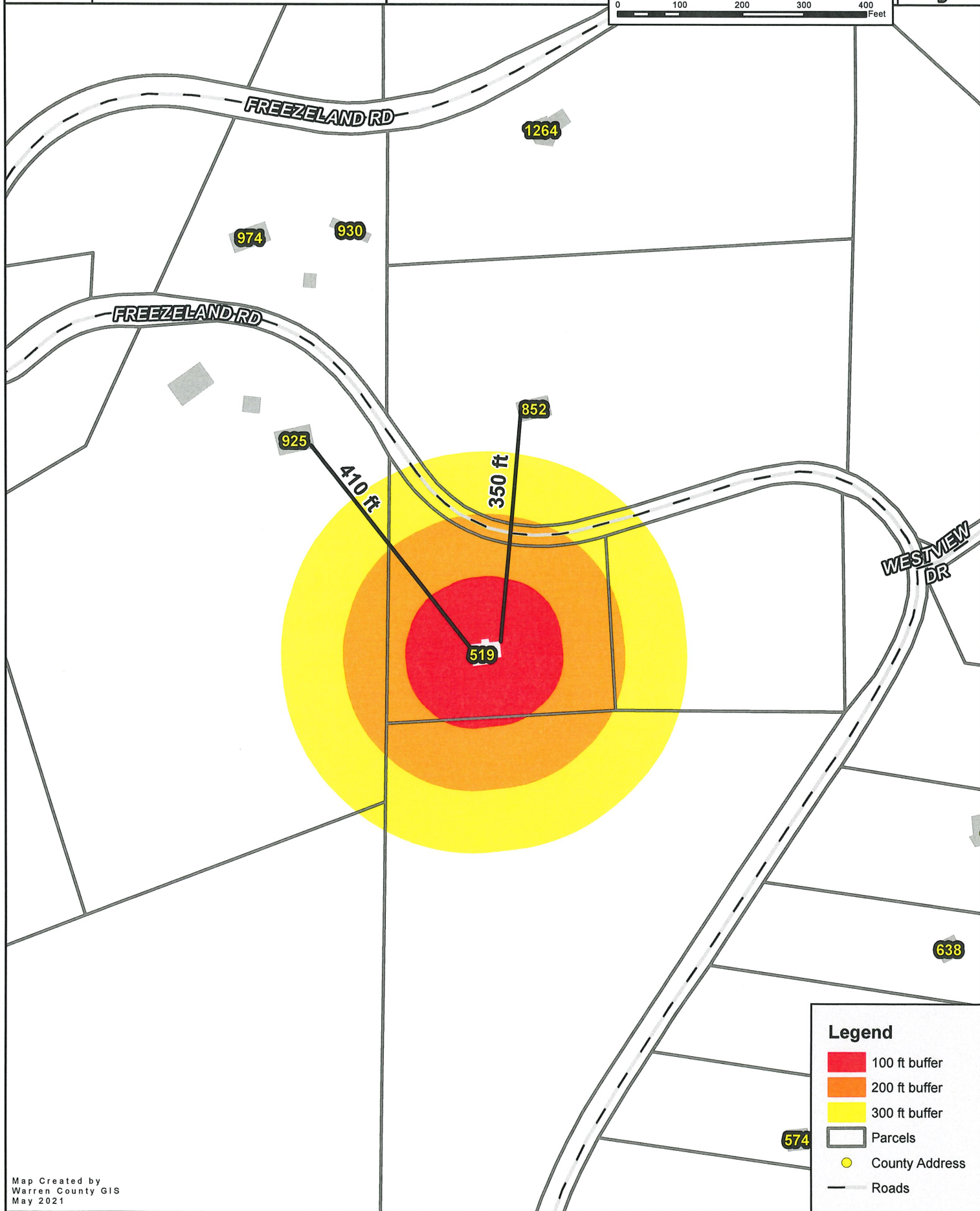
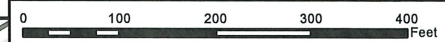


Warren County, VA 2021

519 Freezeland Rd: Distance to Surrounding Homes

TM 23-----5A, 5A1, & 5A2

1 inch = 200 feet

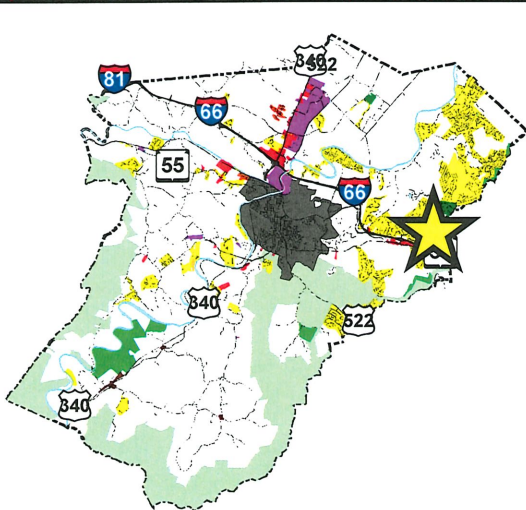
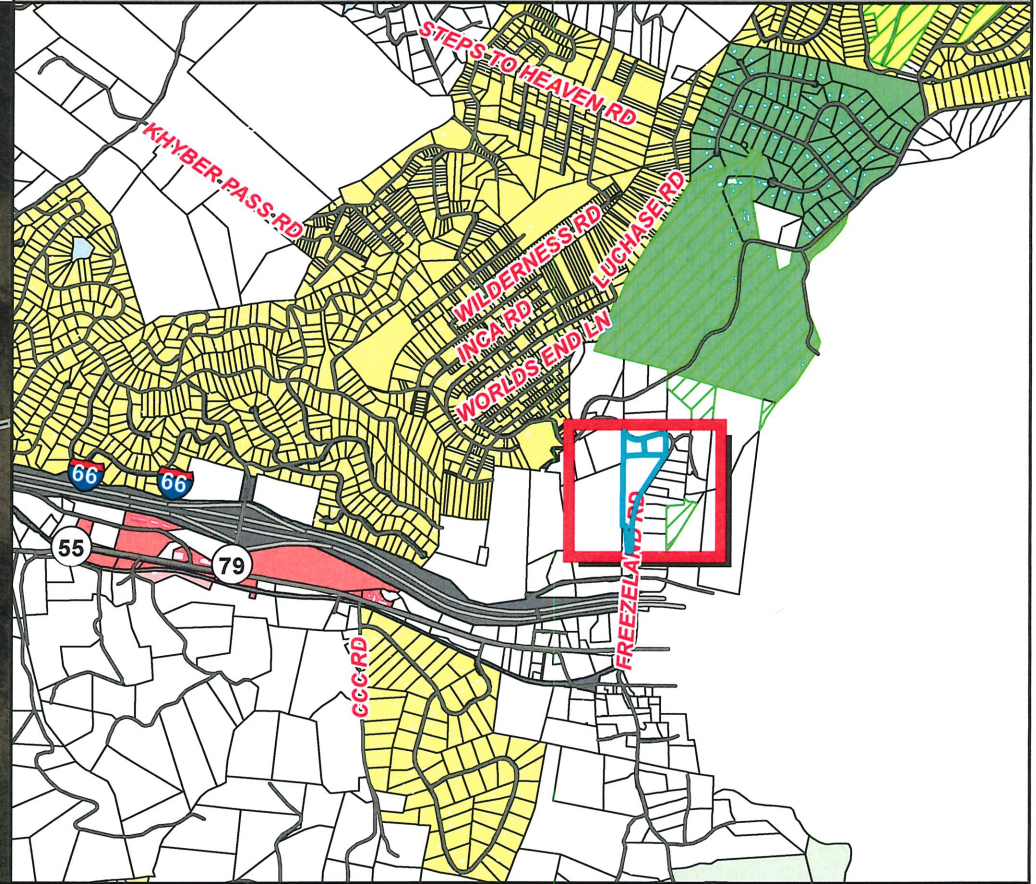


Legend

- 100 ft buffer
- 200 ft buffer
- 300 ft buffer
- Parcels
- County Address
- Roads



TM 23-----5A, 5A1, & 5A2
519 Freezeland Rd



Zoning

- | | | | |
|---|----------------------|---|----------------------------|
|  | Agricultural |  | Rural Residential |
|  | Commercial |  | Right of Way |
|  | Industrial |  | Front Royal |
|  | Residential One |  | Federal Land |
|  | Residential Two |  | State Land |
|  | Suburban Residential |  | Water |
|  | Village Residential |  | VOF Conservation Easements |
| | |  | WC Conservation Easements |

Map produced by
Warren County GIS 2021
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE:	ITEM:	SUBJECT:	PAGE
6/01/2021	N-11	Conditional Use Permit #2021-04-04 Melissa & Jonathan Greene <i>Guesthouse</i>	1 of 2

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- (4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- (5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- (6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - (a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - (b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - (c) Provide for adequate parking and ingress and egress to public streets or roads.
 - (d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - (e) Prevent such use from changing the character and established pattern of development of the community.

After proper advertisement and a public hearing by the Planning Commission, the application has been forwarded to the Board of Supervisors 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.

Motion to Approve:

Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval with the conditions listed above. The motion was seconded by Mr. Kersjes, and approved by the Planning Commission by a vote of 3-0. Mr. Longo was absent.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed conditional use permit request for advertisement for a public hearing.

SUBMITTED BY:

Matt Wendling, CFM 
County Floodplain Manager
Deputy Planning Director

DISPOSITION OF BOARD:

☐ **APPROVED** ☐ **OTHER (Describe)**

PROCESSED BY:



Conditional Use Permit: 2021-04-04 / Guesthouse

Jonathan & Melissa Greene, Owner/Applicants

Staff Report for the Planning Commission

Prepared: April 6, 2021

Staff Contact: Matt Wendling, Planner II/County Floodplain Manager

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a guesthouse for the property they currently own. They are requesting this use in order to convert the storage area of an existing 26' X 40' bank barn on the property to a loft apartment with a full bath and kitchenette. The barn is currently used for storage of maintenance equipment and vehicles for the property. They plan to live in the barn-loft apartment temporarily and part-time since they currently live in Washington, D.C. and will be staying on the weekends. They have plans to build a principle dwelling in the next few years once funds are available. Once their main dwelling is completed they plan to utilize the loft apartment for family and friends who visit for non-commercial use. They understand the guesthouse is to be utilized as a dwelling for non-commercial use and not for full-time occupancy after they move into the principle structure once it receives a certificate of occupancy.

PROPERTY INFORMATION

Property Location: Gooney Manor Loop
Tax Map ID: #43C-3-20
Magisterial District: South River
Subdivision: Eva Mae Farms Subdivision

Village: Bentonville (Browntown)
Zoning: Agricultural (A)
Acres: 21.2822
Existing Land Use: Vacant Land

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)
South: Agricultural (A)
East: Agricultural (A)
West: Agricultural (A)

Use: Single Family Dwelling - Woodlands-Pasture
Use: Single Family Dwelling - Pasture
Use: Single Family Dwelling - Woodlands
Use: Vacant Lots - Pasture

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural (A) zoning district.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The request is compatible with Code Section §180-21, indicating district regulations in the Agricultural (A) zoning district. A guesthouse is permitted under this section as a Conditional Use granted by the Board of Supervisors.

PROPOSAL

The Warren County Zoning Ordinance §180-8 defines a "Guesthouse" as "A Dwelling or lodging units for temporary nonpaying guests. No such quarters shall be rented, leased or otherwise made available for compensation of any kind. A guesthouse may be constructed and used prior to the construction of the principal dwelling. The principal dwelling, however, must be completed within five years from the date of issuance of a certificate of occupancy for the guesthouse." And a "Single-Family Dwelling" as "A building containing one dwelling unit and meeting the standards of the Virginia Uniform Statewide Building Code for a one-family dwelling but not to include "manufactured homes" as defined in this chapter."

SUPPLEMENTARY REGULATIONS FOR GUESTHOUSES

There are no supplemental regulations in the Warren County Zoning Ordinance for a guesthouse. Warren County Code Section §180-11.B for Location of Structures states in part: "Erection of more than one principal structure on a lot. In all residential and agricultural districts only one principal structure, housing a use permitted by right, may be erected on a single lot...."

SEWAGE DISPOSAL

The property owner is currently working with an On-site Soil Evaluator to get the soil data for a certification letter from the Warren Health Department for a private septic system and well.

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

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 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.

Cc: Melissa & Jonathan Greene: *Applicants*

Justification Narrative

This application respectfully requests that the owners be granted the ability to use the current agricultural structure on their property as a, "guest house," until they are able to complete construction of their home on this parcel.

Property owners Jonathan and Melissa Greene have constructed a 26' x 40' bank barn for agricultural use. They applied for and received a Certificate of Exemption for the construction of the barn in 2020. The intended use of the building is for the storage of vehicles and equipment on the land. The construction of the barn is part of the owners plan to have an adjacent single family dwelling on the site with this barn structure serving in its current use as well as for residential garage and storage area once they occupy the dwelling.

The owners do not have the financial resources to construct the dwelling at this time, but intend to do so within the next two to five years. Use of the structure as a guest house would allow for the installation of a bathroom and kitchenette area. The kitchenette would be limited to a sink, counter top, and under counter "dormitory style" refrigerator. Such use would allow the owners to be on site more often to oversee the planning and construction of the dwelling and to provide the convenience of onsite bathroom facilities while on their property. They have secured the services of a private home inspection service and structural engineer to ensure that construction of the existing building and alterations for the requested use meet applicable building code. They anticipate construction alteration to be completed within one year. *See enclosures (9) and (10).*

The owners already have an approved well site and septic field plan for a four bedroom structure. Based on their desire to place a bathroom in the barn building, they acknowledge that they would be limited to three bedrooms in their dwelling when constructed. They intend to revert the use of the barn structure to garage, storage, and work space once they are able to occupy their new home. *see enclosure (6).*

Alteration of the current structure to serve in use as a guest house would include internal modifications to meet applicable code and allow for addition of the bathroom and kitchenette as described. No exterior modification to the existing structure is contemplated under this request. As such, there should be no impacts on the community or the environment as a result of this request. The nature of the barn's architecture is consistent with the neighborhood and the rural setting.

End (1)

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2021-04-04
 Date Received: 3/30/2021
 Fee Amount: \$ 500.00
 Date Paid: 3/30/2021 CK# 5060

Applicant Information:

Melissa and Jonathan Greene

Applicant Name

1211 13th ST NW, APT 802

Washington, DC 20005

Address

City

State

Zip

Tax Map/Section/Block/Parcel: 43-C-20 Lot U

Property Location for conditional use permit if Different than Applicant's Address

(202) 604 3744

melissaagreene1@gmail.com

Primary Contact Number

Email

Property Owner (if same as applicant, leave blank)

Address

City

State

Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

(1) Address/Location: Gooney Manor Loop, Bentonville

(2) Election District: South River

(3) Tax Map Number: 43C-3-20

(4) Subdivision Name: Eva Mae Farms

(5) Total Area of Property (acres): 21.28

(6) Total Area to be Used (acres): Less than 2 acres

(7) Total Road Frontage (feet): 351

(8) Depth of Property (feet): 1648

(9) Present Zoning: Agricultural

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Guest House
- (2) Current land use and condition of site: Agriculture/Pasture/Barn
- (3) Zoning of surrounding land/property: Residential / Agricultural
- (4) Will development be staged? ☐ Yes ☐ No N/A
- (5) Construction Time: 1 year from date of permit
- (6) Season, days, and hours of operation: All seasons, weather permitting, Daylight hours
- (7) Will there be a sign? ☐ Yes ☒ No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) _____
No.
- (9) Number of full time employees: N/A
- (10) What type of sewage disposal system will be used? ☒ Private ☐ Central ☐ Public
- (11) Number of persons to be served by the sewage disposal system: 2
- (12) Number of parking spaces to be provided: Regular N/A Handicap N/A
- (13) What is the proposed landscaping and buffering for this property? _____
Pasture land in agricultural use program

C. Plans Prepared By

Name: Owner Melissa + Jonathan Greene

Address: 1211 13th St. NW Unit 802, Washington DC 20005

Telephone Number: 202-604-3744

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____
No adverse impact to the community of the environment

- (2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____
Minimal Construction Debris for alteration of interior of current structure.
Container storage, transport to transfer station.
- (3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____
No
- (4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____
None. Interior partition wall construction and fixture installation.
- (5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____
No electrical activities that will interfere with local communications, telephone, television or radio reception.
- (6) What will be the impact on traffic? _____
Minimal traffic, subcontractor/trades.
- (7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. _____
All changes to the structure are internal. No external changes.

**The following documents and/or information are required
to be submitted with the application:**

☒ **An application fee of \$500.00.**

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

☒ **A Statement of Justification**

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper. *ENCL(1)*

☒ **A Site Plan/Survey.**

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

☒ **Sewage Disposal and Well Site.**

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

☒ **A copy of the deed to the property verifying the current ownership.**

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

☐ **A statement verifying that real estate taxes have been paid.**

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

☐ **Environmental and Community Impact Statements**

The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

☐ **List of chemicals stored on the site**

A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

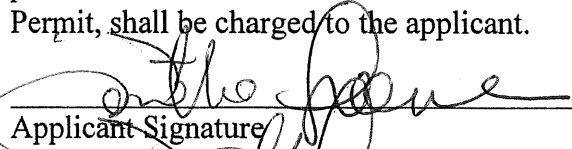
☒ **Location Map**

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information. *ENCL (8)*

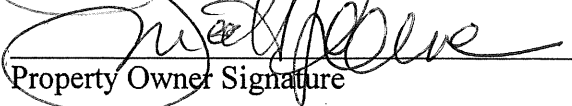
☒ **Directions to your property from the Warren County Government Center.**

*Right onto
Head SEward E 2nd St. Turn ~~left~~ onto E 2nd St.
Turn left onto US 340 S for 1.4 mile Turn left on Rt
649 for 7.4 miles. Turn right onto St Rte 613 for one
mile. Turn left onto St Rte 631 for 2.8 miles. House
875 Gwney Manor Loop on CRK. Turn left up LENA MAE
Lane. Barn about .25 mile up on left.*

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature

29 MAR 2021
Date


Property Owner Signature

29 MAR 2021
Date

Accepted by: _____

Date: _____

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

ENCL (9) STRUCTURAL ENGINEERING REPORT 3/29/21

ENCL (10) BLDG INSPECTOR REPORT 3/1/21



Warren County Health Department
465 W 15th St. Ste 200
Front Royal, VA 22630
(540) 635-3159 Voice
(540) 635-9698 Fax

Private OSE Private Well Permit

January 20, 2021

Jonathan Greene
1211 13th St NW Unit 802
Washington, DC 20005

Tax Map/GPIN: 43C-3-20 **HDID:** 187-20-0406

Lena Mae Ln
Bentonville, VA 22610

Dear Jonathan Greene:

This letter, in conjunction with the approved plans and specifications, which are attached, constitutes your **permit to install a private well**. The application for a permit was submitted pursuant to §32.1-163.5 of the Code of Virginia which requires the Health Department to accept private site evaluations and designs from an Onsite Soil Evaluator (OSE) or a Professional Engineer working in consultation with an OSE for residential development. The permitted site was certified as being in compliance with the Board of Health's *Private Well Regulations (12VAC5-630-10 et seq.)*, and local ordinances if the locality has authorized the local health department to accept private evaluations for compliance with local ordinances, by **Perry, Daniel G. Private OSE**.

This letter is issued in reliance upon that certification. The Board of Health hereby recognizes that the site conditions acknowledged by this correspondence, and documented by additional records on file at the local health department, are suitable for the installation of Private Well. The attached plat (or plats) shows the approved areas for the private well. This letter is void if there is any substantial physical change in the soil or site conditions where a sewage disposal system is to be located.

If modifications or revisions are necessary between now and when you construct your dwelling, please contact the Onsite Soil Evaluator (OSE) or Professional Engineer (PE) who performed the site evaluation and design on which this private well permit is based. The name, address, and phone number of the OSE/PE appears on the certification form attached to this permit. Should revisions be necessary during construction, your contractor should consult with the OSE/PE that submitted the site evaluation or site evaluation and design. The OSE or PE is authorized to make minor adjustments in the location or design of the system at the time of construction provided adequate documentation is provided to the Warren County Health Department.

This authorization is null and void if conditions are changed from those shown on the application or conditions are changed from those shown on the attached construction drawings, plans and specifications.

ENCL (6)

No private well shall be used until inspected, corrections made if necessary, and approved by the Warren County Health Department or unless expressly authorized by the Warren County Health Department. Any part of any installation which has been covered prior to approval shall be uncovered if necessary, upon the direction of the Department. If you have any questions, please contact me. This authorization to construct a private well **expires: July 20, 2022**

Sincerely,

A handwritten signature in black ink, appearing to read "G. Smith". The signature is fluid and cursive, with the first letter of the last name being a large, stylized "S".

Greg Smith,
Environmental Health Specialist

cc: Perry, Daniel G., Private OSE



Warren County Health Department
465 W 15th St. Ste 200
Front Royal, VA 22630
(540) 635-3159 Voice
(540) 635-9698 Fax

OSE Construction Permit

Well and Sewage Contractors: Please notify Health Department and OSE or PE 48 hours prior to installation to arrange for inspection

January 20, 2021

Jonathan Greene
1211 13th St NW Unit 802
Washington, DC 20005

RE: Lena Mae Ln, Bentonville, VA 22610
Tax Map/GPIN: 43C-3-20 (Warren County)
HDID: 187-20-0406 **Reserve:** 100% reserve area provided
System Capacity: Residential, 4 Bedrooms, 600 gallons per day
Occupancy Limit: 8 persons maximum

Dear Jonathan Greene:

This letter and the attached drawings, specifications, and calculations (12 pages) dated December 30, 2020, constitute your permit to install a sewage disposal system and well if applicable on the property referenced above. Your application for a permit was submitted pursuant to §32.1-163.5 of the Code of Virginia, which requires the Health Department to accept private soil evaluations and designs from an Onsite Soil Evaluator (OSE) or a Professional Engineer working in consultation with an OSE for residential development. VDH is not required to perform a field check to verify the private evaluations of OSEs or PEs and such a field check may not have been conducted for the issuance of this permit.

The soil absorption area ("site"), sewage system design, and the well location and construction if applicable were certified by **Perry, Daniel G. Private OSE** as substantially complying with the Board of Health's regulations (and local ordinances if the locality has authorized the local health department to accept private evaluations for compliance with local ordinances). This permit is issued in reliance upon that certification. VDH hereby recognizes that the soil and site conditions acknowledged by this permit are suitable for the installation of an onsite sewage system. The attached plat shows the approved area for the sewage disposal system; there are additional records on file with the Warren County Health Department pertaining to this permit, including the Site and Soil Evaluation Report. This construction permit is null and void if any substantial physical change in the soil or site conditions occurs where a sewage disposal system is to be located.

If modifications or revisions are necessary between now and when you construct your dwelling, please contact the OSE/PE who performed the evaluation and design on which this permit is based. Should revisions be necessary during construction, your contractor should consult with the OSE/PE that submitted the site evaluation or site evaluation and design. The OSE/PE is authorized to make minor adjustments in the location or design of the system at the time of construction provided adequate documentation is provided to the Warren County Health Department.

The OSE/PE that submitted the certified design for this permit is required to conduct a final inspection of this sewage system when it is installed and to submit an inspection report and completion statement. As the owner, you are responsible for giving reasonable notice to the OSE/PE of the need for a final inspection. If the designer is unable to perform the required inspection, you may provide an inspection report and

Comments 2021-04-04 – Jonathan and Melissa Greene – Conditional Use Permit for Guesthouse – WCCUP-000101-2021:

- Erosion and Sediment Control Items:

- o There does not appear to be any land disturbance at this time (appears to be existing), but any requirements to meet the building code, i.e., sanitary sewage system would require a normal submission.

- Building Inspections Items:

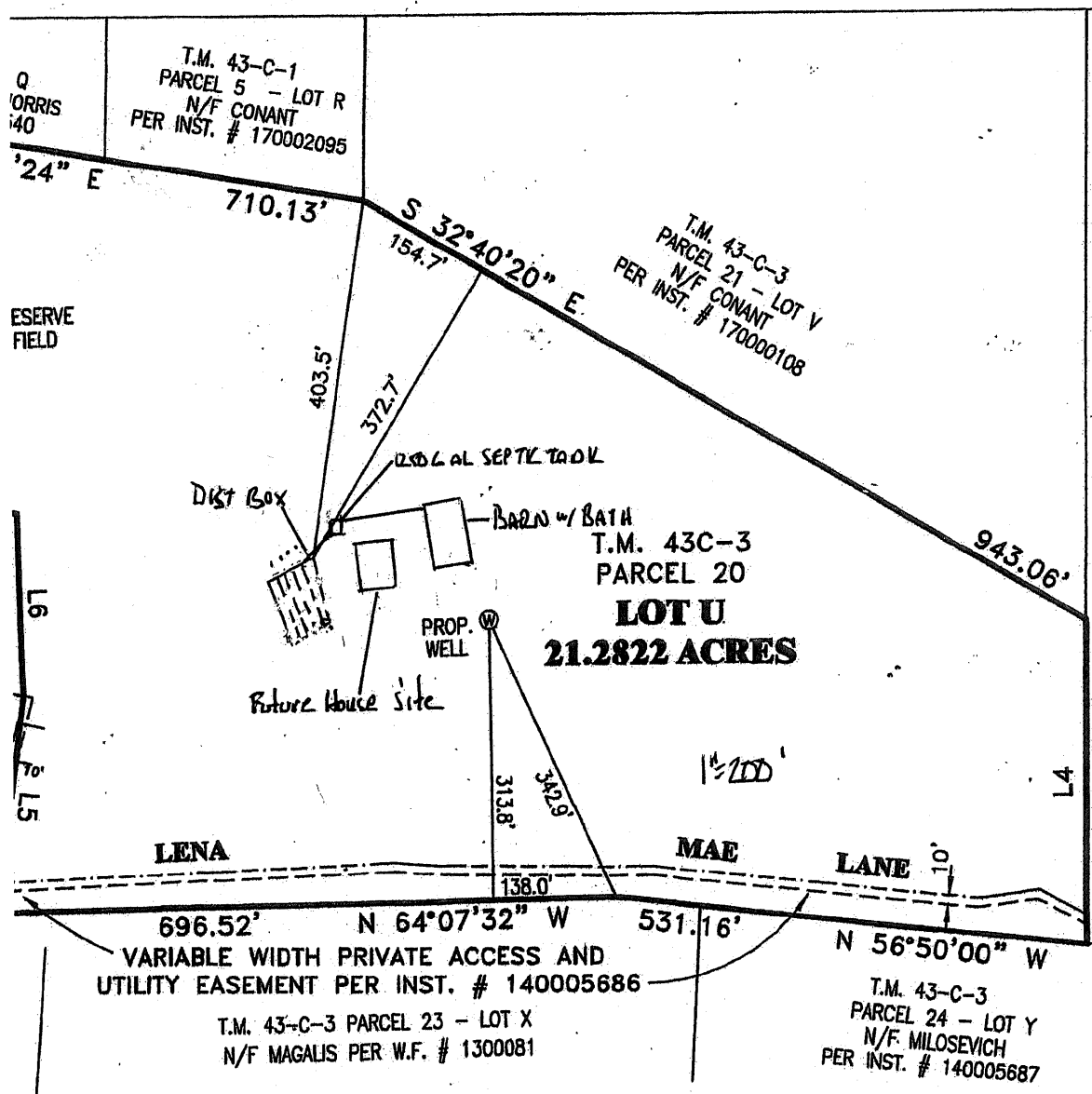
- o The structure as indicated was constructed as an exempt structure and would not have had any required inspections performed as required by the Code of Virginia to be used as a residence. An evaluation performed by a Registered Design Professional (RDP) appropriately credentialed would be completed on the existing construction and submitted to the Building Inspections office for approval as a first step.

- o This request would require all applicable permits for the work that is being completed. Including, but not limited to building, electrical, mechanical, plumbing. All of these would require applications and submissions that would be completely separate from this process and would go through the building inspections office when the applicant is ready to submit the needed documents/information.

If anything should change in the scope additional requirements may be required.



David C. Beahm



**PLAT SHOWING PROPOSED DRAIN
 FIELDS AND WELL SITE LOT U
 EVA MAE FARMS PHASE 3**

**PREPARED BY
 BROGAN L
 P.O. BOX 15
 FRONT ROYAL**

Customer: Greene
Subdivision: Eva Mae Farms
Tax Map: 43C-3 Lot: U
Location: Lena Mae Lane

Commonwealth of Virginia
Daniel Perry
DPOR #1940001067

Daniel Perry
 AOSE

ELECTRIC LEGEND

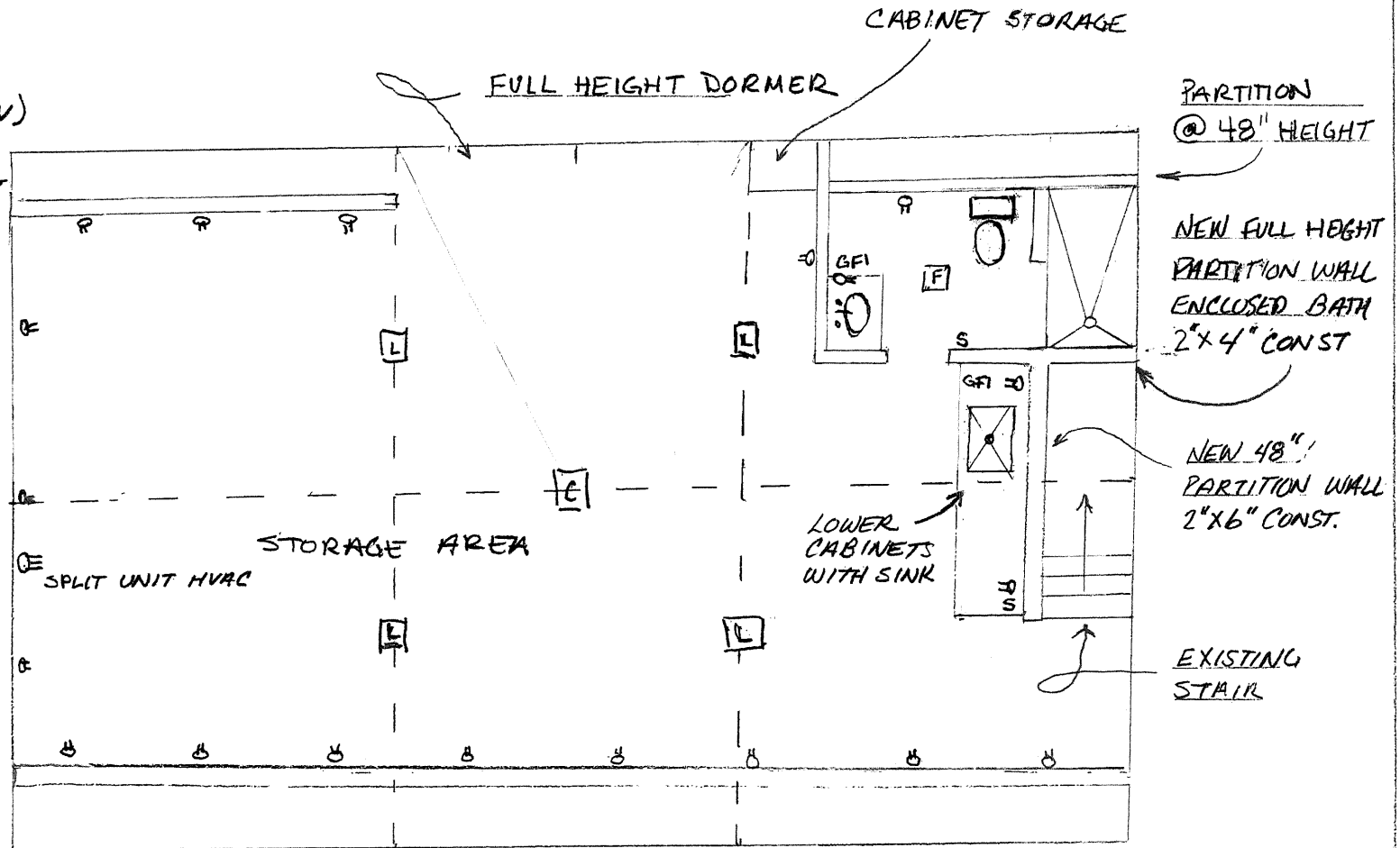
- Ⓡ RECEPTACLE (120V)
- S SWITCH
- Ⓛ LIGHT/FAN EXHAUST
- Ⓢ CEILING FAN
- Ⓛ LIGHT FIXTURE
- Ⓡ RECEPTACLE (220V)

PARTITION WALLS
@ 48" HEIGHT
2" x 4" FRAMING

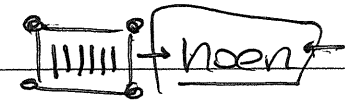
NOTES:

- ① END WALLS INSULATED R15
- ② FLOOR INSULATED R19
- ③ FLOOR FIRESTOPPED BELOW 5/8"
DRY WALL
- ④ STAIRS ENCLOSED, FIRE STOPPED, STEEL DOOR

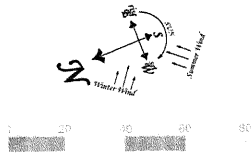
LOFT AREA 26' x 40'
ALTERATION AND FLOOR PLAN
WITH ELECTRICAL AND PLUMBING



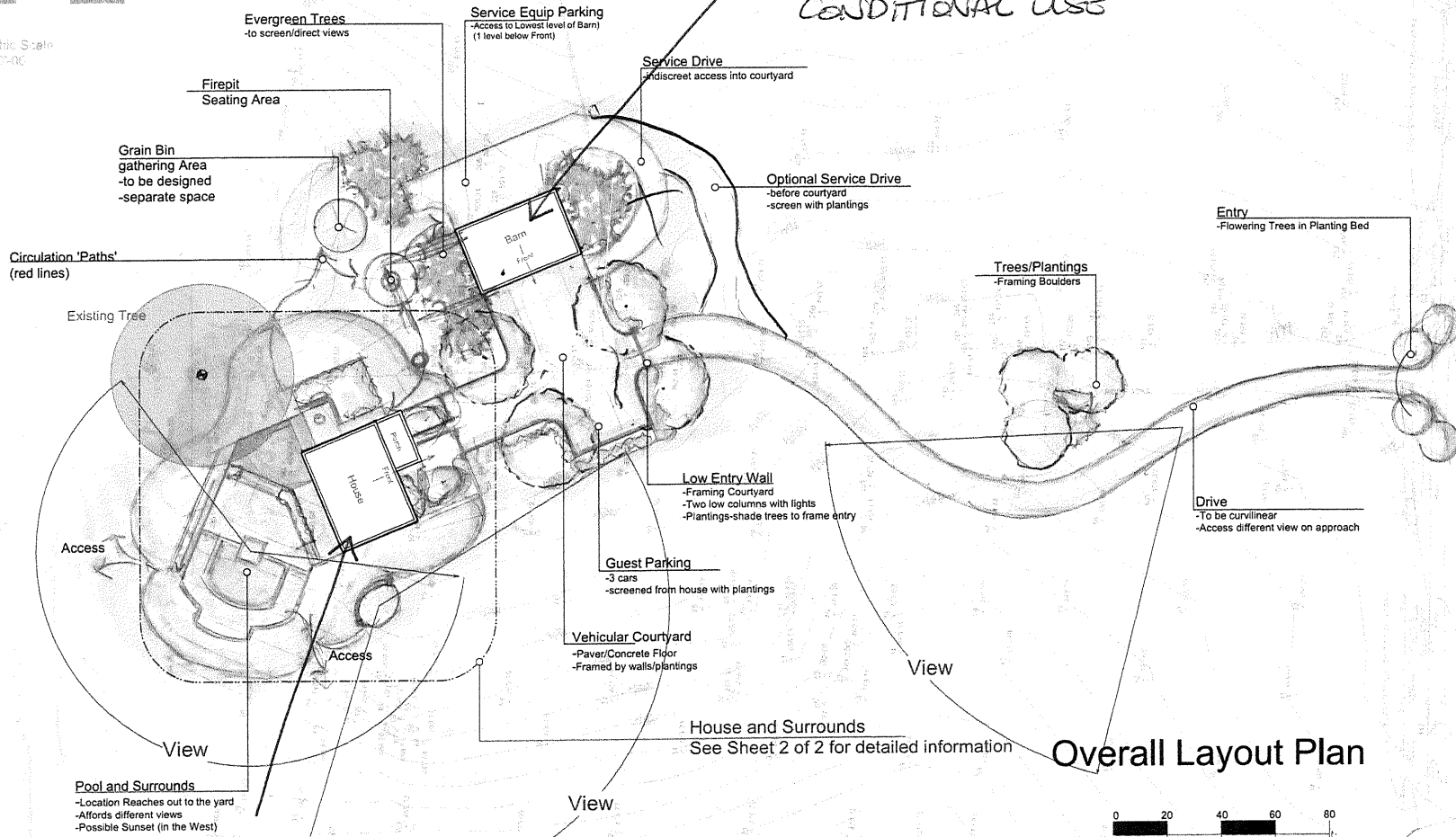
JON & MELISSA GREENE
 SCALE $\cong 1/4$



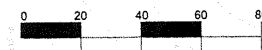
ENC (2)



Graphic Scale
1"=20'-00"



Overall Layout Plan



Graphic Scale
1"=20'-00"

(FUTURE HOME)

Elevation Note
Both House and Barn First Floor levels to be at +500 (approx)
Proposed Elevations to be on final Layout.

No.	
Design	
P	
Fi	
St	
Consul	
Projec	
Drawin	
Cor	
Ovt	
Project	J
Drawn	TM
Review	JD
Date	





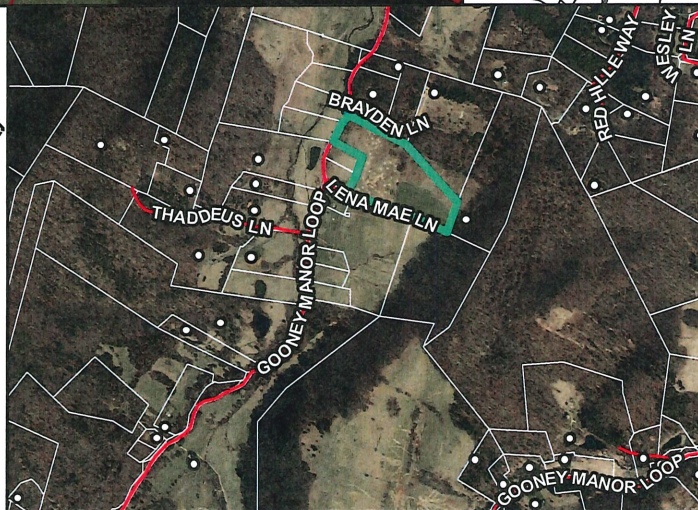
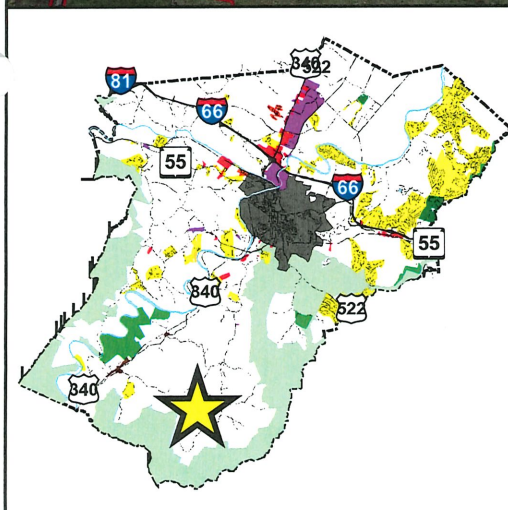
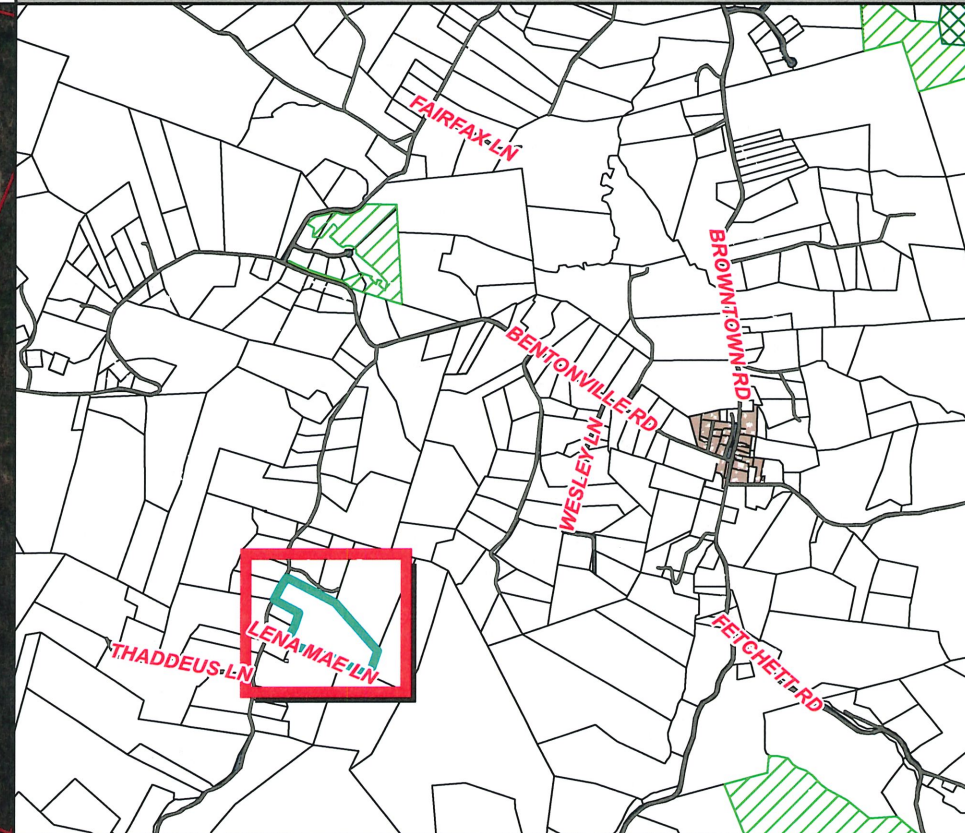
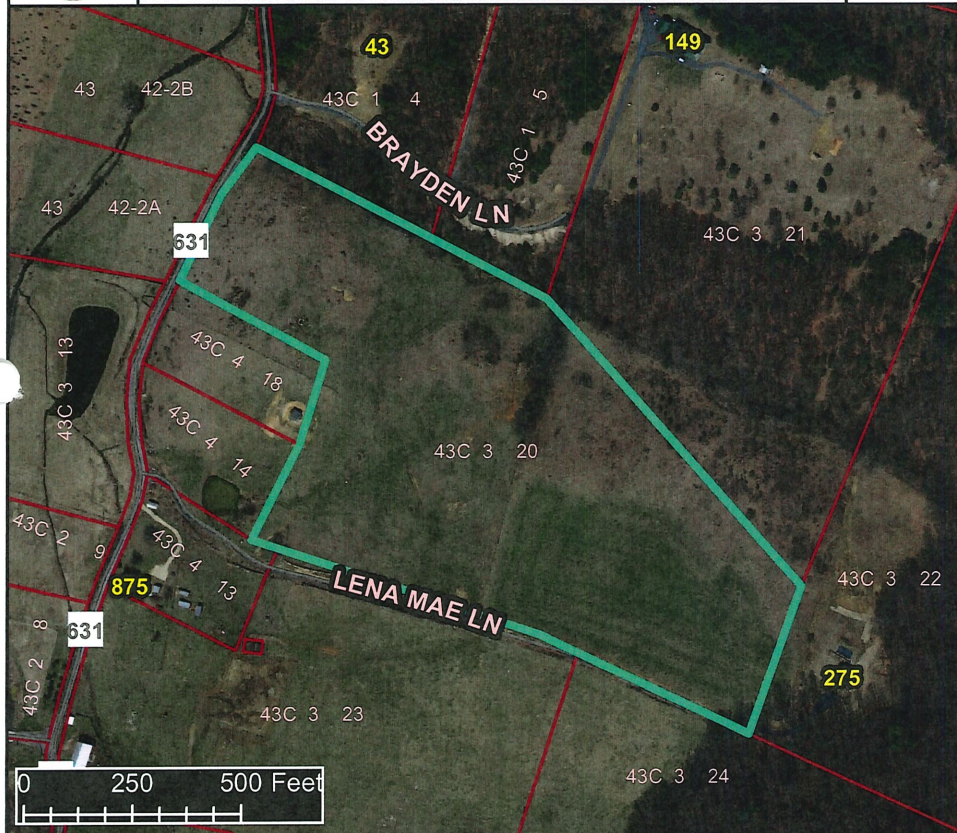
Warren County VA

CUP Location Map



CUP: Guest House
Applicant: Melissa Greene

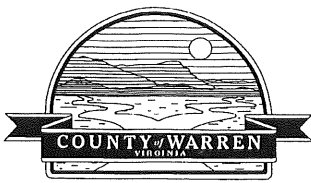
TM 43C--3---20
Gooney Manor Loop
Eva Mae Farms



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2021
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
June 1, 2021	0	EDA – Updated Support Agreement	
<u>EXPLANATION & SUMMARY:</u> At its meeting on April 7, 2020, the Board of Supervisor adopted the attached resolution approving a Support Agreement with First Bank for the Front Royal-Warren County Economic Development Authority (EDA). The resolution was adopted after the EDA Board of Directors approved a Forbearance Agreement with First Bank of Strasburg (First Bank) regarding their outstanding loans with the bank in March 2020. This resolution provided additional security for First Bank during the forbearance period (FY 2021) – Section 11(c). The Support Agreement was for FY 2020-2021, and as the new FY 2021-2022 approaches, an updated resolution and Support Agreement needs to be considered. At this time, as negotiated with First Bank, requires the Board of Supervisors to provide its moral obligation for the monthly debt service for FY 2021-2022 <u>only</u> for the EDA's loan with First Bank. The estimated cost of this debt service is \$214,000. This debt service amount has been included in the proposed County budget, and Sands Anderson has reviewed the agreement. A copy of the EDA's resolution of May 21, 2021 approving the extension of the Forbearance Agreement is attached. <u>COST & FINANCING:</u> With the adoption of the Support Agreement, the Board is committing to paying the debt service in the amount of \$214,000 for the First Bank loans of the Front Royal-Warren County EDA for FY 2021-2022. <u>PROPOSED OR SUGGESTED MOTION:</u> I move that the Board of Supervisors adopt the proposed resolution approving a Support Agreement with First Bank for the Front Royal-Warren County Economic Development Authority (EDA) as outlined. OR I move that the Board of Supervisors postpone consideration of the attached resolution approving a Support Agreement with First Bank for the Front Royal-Warren County EDA to the June 15, 2021 meeting.			
SUBMITTED BY: Edwin C. Daley, Interim County Administrator	DISPOSITION OF BOARD: ☐ APPROVED ☐ OTHER (DESCRIBE)		PROCESSED BY:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WARREN,
VIRGINIA, APPROVING AN UPDATED SUPPORT AGREEMENT WITH THE
INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FRONT ROYAL
AND THE COUNTY OF WARREN, VIRGINIA RELATING TO A FORBEARANCE
AGREEMENT**

WHEREAS, the Board of Supervisors (**the “Board”**) of the County of Warren, Virginia (**the “County”**) continues its desire to assist the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (**the “Authority”**) by entering into an updated Support Agreement, to undertake a non-binding obligation to appropriate moneys to the Authority in connection with the Forbearance Agreement, dated March 10, 2020 (**the “Forbearance Agreement”**) between the Authority and First Bank (**the “Lender”**) relating to monthly debt service payments of the Authority due to the Lender under the EDA Loans (as defined in the Forbearance Agreement) during the 2022 Fiscal Year (as defined in the Forbearance Agreement).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF WARREN, VIRGINIA:**

1. It is determined to be in the best interests of the County and its citizens for the Board to enter into the Support Agreement.
2. In consideration of the Authority’s undertakings with respect to the Forbearance Agreement, the Chairman or Vice-Chairman of the Board, either of whom may act, is hereby authorized and directed to execute and deliver the Support Agreement. The Support Agreement shall be in substantially the form presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman of the Board, in their sole discretion, the execution thereof by the Chairman or Vice-Chairman of the Board of Supervisors to constitute conclusive evidence of his or her approval of such completions, omissions, insertions or changes.
3. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Support Agreement on the County Administrator, and to take all proper steps on behalf of the County as additional security for the Lender pursuant to the Forbearance Agreement.
4. This resolution shall take effect immediately.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Warren, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on _____, 2021, by the Board of Supervisors with the following votes:

Aye:

Nay:

Abstentions:

Signed this ____ day of _____, 2021.

By: _____
Interim Clerk, Board of Supervisors

**RESOLUTION OF THE ECONOMIC DEVELOPMENT AUTHORITY OF THE TOWN
OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA, APPROVING AN
UPDATED SUPPORT AGREEMENT WITH THE COUNTY OF WARREN, VIRGINIA
RELATING TO A FORBEARANCE AGREEMENT AND APPROVING AN
EXTENSION OF SUCH FORBEARANCE AGREEMENT**

WHEREAS, the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the "Authority") has requested the continuation of assistance from the Board of Supervisors (the "Board") of the County of Warren, Virginia (the "County") by entering into an updated Support Agreement, to undertake a non-binding obligation to appropriate moneys to the Authority in connection with the Forbearance Agreement, dated March 10, 2020 (the "Forbearance Agreement") between the Authority and First Bank (the "Lender") relating to monthly debt service payments of the Authority due to the Lender under the EDA Loans (as defined in the Forbearance Agreement) during the 2022 Fiscal Year and the extension of such Forbearance Agreement from June 30, 2021 to June 30, 2022.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN,
VIRGINIA:**

1. In consideration of the Authority's undertakings with respect to the Forbearance Agreement, the Chairman or Vice-Chairman of the Authority, either of whom may act, is hereby authorized and directed to execute and deliver the Support Agreement and to extend the Forbearance Agreement from June 30, 2021 to June 30, 2022. The Support Agreement shall be in substantially the form presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman of the Authority, in their sole discretion, the execution thereof by the Chairman or Vice-Chairman of the Authority to constitute conclusive evidence of his or her approval of such completions, omissions, insertions or changes.
2. The Chairman or Vice-Chairman of the Authority, either of whom may act, is authorized to extend the Forbearance Period (as defined in the Forbearance Agreement) from June 30, 2021 to June 30, 2022 and to approved documentation of such extension.
3. This resolution shall take effect immediately.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Secretary of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the "Authority") hereby certifies that the Resolution set forth above was adopted during an open meeting on May 21 2021, by the Authority with the following votes:

Aye: Browne, Martin, Harold, Patteson,
Wolfe, Jenkins, Hencken

Nay: 0

Abstentions: 0

Signed this 24th day of May, 2021.

By: Gregory A Harold
Secretary

Digitally signed by Gregory A Harold
DN: cn=Gregory A Harold, o=Front Royal
County, VA, email=gregory.a.harold@front-royal-va.gov
Reason: I signed the document and accept its contents

SUPPORT AGREEMENT

This SUPPORT AGREEMENT is made as of the ____ day of June, 2021 (the "Support Agreement"), between the BOARD OF SUPERVISORS OF THE COUNTY OF WARREN, VIRGINIA (the "**Board**"), acting as the governing body of the County of Warren, Virginia (the "**County**") and INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA (the "**Authority**"), in connection with a Forbearance Agreement, dated as of March 10, 2020, as amended or extended (the "**Forbearance Agreement**"), between the Authority and First Bank (the "**Lender**").

RECITALS:

WHEREAS, the Authority entered into the Forbearance Agreement with the Lender in relation to its loans from the Lender (the "**First Bank EDA Loans**") as defined and described in the Agreement (which is attached hereto as **Exhibit A**) and as a condition to the effectiveness of the Agreement, the Lender has required the additional security to the Lender of a support agreement from the Board on behalf of the County providing the County's moral obligation to timely pay the monthly payments of scheduled debt service (amortized principal and interest) when due on the First Bank EDA Loans (the "**Authority Debt Service**") to the Lender during the fiscal year beginning July 1, 2021 and ending June 30, 2022 (the "**2022 Fiscal Year**") if such monthly payments of Authority Debt Service are not made by the Authority; and

WHEREAS, the economic development purposes for which the First Bank EDA Loans were undertaken are hereby determined to be an essential governmental purpose to benefit the welfare and prosperity of the citizens of the County; and

WHEREAS, the Board adopted on June 1, 2021, a resolution authorizing, among other things, the execution of this Support Agreement providing for the Board to budget certain amounts available for the Authority Debt Service for the First Bank EDA Loans during the 2022 Fiscal Year in support of the Forbearance Agreement obligations, the actual payment of which by the County shall be nonbinding upon the County (the "**Moral Obligation Resolution**").

AGREEMENT

NOW, THEREFORE, for and in consideration of the foregoing and of the mutual covenants herein set forth, the parties hereto agree as follows:

1. Unless otherwise defined, each capitalized term used in this Support Agreement shall have the meaning given it in the Agreement.
2. The Board of Supervisors has adopted the County's FY 2022 Budget and included within such budget an amount of \$214,000 in the annual budget for the Authority for FY 2022, which is at least equal to the amount of the Authority Debt Service for FY 2022.
3. If at any time revenues and funds available to the Authority shall be insufficient to make any of the payments referred to in paragraph 2 hereof when due, the Authority shall notify, at least

ten (10) days prior to the due date of such First Bank EDA Loans, the County Administrator and the Lender in writing of the amount of such insufficiency and the County Administrator shall make such payment to the Lender from funds previously appropriated for such purpose by the Board in the amount necessary to make such payment.

4. The County Administrator shall present each request for payment pursuant to paragraph 3 above to the Board, and the Board shall respond to such request.

5. The Board hereby undertakes a non-binding obligation to pay such appropriated amounts as may be requested from time to time pursuant to paragraphs 2 and 3 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia.

6. Nothing herein contained is or shall be deemed to be a lending of the credit of the County to the Authority or the Lender or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County, nor shall anything herein contained legally bind or obligate the Board to appropriate funds for the purposes described herein.

7. Any notices or requests required to be given hereunder shall be deemed given if sent by registered or certified mail, postage prepaid, addressed (i) if to the County, to 220 N. Commerce Ave, Suite 100, Front Royal, VA 22630 Attention: County Administrator and (ii) if to the Authority, to 400 Kendrick Lane, Front Royal, VA 22630, Attention: Chairman and if to the Lender, c/o First Bank, Operations Center, 406 Mowery Dr., Strasburg, VA 22657, Attention: Sam Crow, EVP/Chief Credit Officer. Any party may designate any other address for notices or requests by giving notice.

8. It is the intent of the parties hereto that this Support Agreement shall be governed by the laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be executed in their respective names as of the date first above written.

**BOARD OF SUPERVISORS OF THE COUNTY OF
WARREN, VIRGINIA**

By: _____

Title: _____

**INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE TOWN OF FRONT ROYAL AND THE
COUNTY OF WARREN, VIRGINIA**

By: _____

Title: _____

ACKNOWLEDGED and ACCEPTED

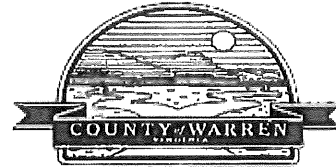
FIRST BANK

By: _____

Title: EVP/Chief Credit Officer

EXHIBIT A – Forbearance Agreement

RESOLUTION



***of the Board of Supervisors of the County of Warren, Virginia
Approving Support Agreement with the Industrial Development
Authority of the Town of Front Royal and the County of Warren,
Virginia Relating to a Forbearance Agreement***

WHEREAS, the Board of Supervisors (the "Board") of the County of Warren, Virginia (the "County") desires to assist the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the "Authority") by entering into a Support Agreement, to undertake a non-binding obligation to appropriate moneys to the Authority in connection with the Forbearance Agreement, dated March 10, 2020 (the "Forbearance Agreement") between the Authority and First Bank (the "Lender") relating to monthly debt service payments of the Authority due to the Lender under the EDA Loans (as defined in the Forbearance Agreement) during the 2021 Fiscal Year (as defined in the Forbearance Agreement).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF WARREN, VIRGINIA:**

1. It is determined to be in the best interests of the County and its citizens for the Board to enter into the Support Agreement.
2. In consideration of the Authority's undertakings with respect to the Forbearance Agreement, the Chairman or Vice-Chairman of the Board, either of whom may act, is hereby authorized and directed to execute and deliver the Support Agreement. The Support Agreement shall be in substantially the form presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman of the Board, in their sole discretion, the execution thereof by the Chairman or Vice-Chairman of the Board of Supervisors to constitute conclusive evidence of his or her approval of such completions, omissions, insertions or changes.
3. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Support Agreement on the County Administrator, and to take all proper steps on behalf of the County as additional security for the Lender pursuant to the Forbearance Agreement.
4. This resolution shall take effect immediately.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Warren, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on April 7, 2020, by the Board of Supervisors with the following votes:

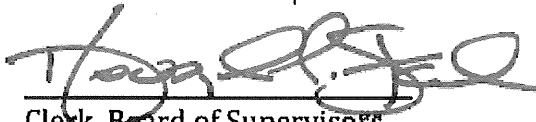
Aye: Carter
Cullers
Fox
Mabe
Oates

Nay: 0

Abstentions: 0

Signed this 7th day of April, 2020

By:


Clerk, Board of Supervisors

SUPPORT AGREEMENT

This SUPPORT AGREEMENT is made as of the ____ day of April, 2020 (the "Support Agreement"), between the BOARD OF SUPERVISORS OF THE COUNTY OF WARREN, VIRGINIA (the "Board"), acting as the governing body of the County of Warren, Virginia (the "County") and INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA (the "Authority"), in connection with a Forbearance Agreement, dated as of March 10, 2020 (the "Forbearance Agreement"), between the Authority and First Bank (the "Lender").

RECITALS:

WHEREAS, the Authority entered into the Agreement with the Lender in relation to its loans from the Lender (the "First Bank EDA Loans") as defined and described in the Agreement (which is attached hereto and incorporated herein as Exhibit A) and as a condition to the effectiveness of the Agreement, the Lender has required the additional security to the Lender of a support agreement from the Board on behalf of the County providing the County's moral obligation to timely pay the monthly payments due commencing July 15th and July 22nd, 2020 of scheduled debt service (amortized principal and interest) when due on the First Bank EDA Loans (the "Authority Debt Service") to the Lender during the fiscal year beginning July 1, 2020 and ending July 1, 2021 (the "2021 Fiscal Year") if such monthly payments of Authority Debt Service are not made by the Authority; and

WHEREAS, the economic development purposes for which the First Bank EDA Loans were undertaken are hereby determined to be an essential governmental purpose to benefit the welfare and prosperity of the citizens of the County; and

WHEREAS, the Board adopted on April 7, 2020, a resolution authorizing, among other things, the execution of this Support Agreement providing for the Board of certain amounts available for the Authority Debt Service for the First Bank EDA Loans during the 2021 Fiscal Year in support of the Forbearance Agreement obligations, the actual payment of which by the County shall be nonbinding upon the County (the "Moral Obligation Resolution").

AGREEMENT

NOW, THEREFORE, for and in consideration of the foregoing and of the mutual covenants herein set forth, the parties hereto agree as follows:

1. Unless otherwise defined, each capitalized term used in this Support Agreement shall have the meaning given it in the Agreement.
2. No later than _____ 1, 2020, the Authority shall notify the Board of the actual amount of the Authority Debt Service for 2021 Fiscal Year pursuant to the First Bank EDA Loans and the Forbearance Agreement for 2021 Fiscal Year.

3. The County Administrator of the County (the “County Administrator”) shall include the Authority Debt Service for the First Bank EDA Loans in his budget submitted to the Board for the 2021 Fiscal Year as an amount to be appropriated to or on behalf of the Authority. The County Administrator shall deliver to the Lender within ten days after the adoption of the County’s budget, but not later than July 1, 2020, a certificate stating whether the Board has appropriated to or on behalf of the Authority an amount equal to the Authority Debt Service for the First Bank EDA Loans.

4. If at any time revenues and funds available to the Authority shall be insufficient to make any of the payments referred to in paragraph 3 hereof when due, the Authority shall notify, at least ten (10) days prior to the due date of such First Bank EDA Loans, the County Administrator and the Lender in writing of the amount of such insufficiency and the County Administrator shall make such payment to the Lender from funds previously appropriated for such purpose by the Board in the amount necessary to make such payment.

5. The County Administrator shall present each request for payment pursuant to paragraph 5 above to the Board, and the Board shall respond to such request.

6. The Board hereby undertakes a non-binding obligation to pay such appropriated amounts as may be requested from time to time pursuant to paragraphs 4 and 5 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia.

7. Nothing herein contained is or shall be deemed to be a lending of the credit of the County to the Authority or the Lender or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County, nor shall anything herein contained legally bind or obligate the Board to appropriate funds for the purposes described herein.

8. Any notices or requests required to be given hereunder shall be deemed given if sent by registered or certified mail, postage prepaid, addressed (i) if to the County, to 220 N. Commerce Ave, Suite 100, Front Royal, VA 22630 Attention: County Administrator and (ii) if to the Authority, to 400 Kendrick Lane, Front Royal, VA 22630, Attention: Chairman and if to the Lender, c/o First Bank, Operations Center, 406 Mowery Dr., Strasburg, VA 22657, Attention: Sam Crow, EVP/Chief Credit Officer. Any party may designate any other address for notices or requests by giving notice.

9. It is the intent of the parties hereto that this Support Agreement shall be governed by the laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be executed in their respective names as of the date first above written.

**BOARD OF SUPERVISORS OF THE COUNTY OF
WARREN, VIRGINIA**

By: [Signature]
Title: County Administrator

**INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE TOWN OF FRONT ROYAL AND THE
COUNTY OF WARREN, VIRGINIA**

By: Edwin C. Daley
Title: Chair

By: [Signature] 4/10/2020
Title: Secretary

ACKNOWLEDGED and ACCEPTED

FIRST BANK

By: _____

Title: EVP/Chief Credit Officer

EXHIBIT A – Forbearance Agreement

Motions to be Made Going into Closed Meeting

I move the Board enter into a closed meeting under the provisions of Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for the discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, and resignation of a specific public officer of the public body; I further move that discussion be limited to the Community Policy and Management Team and the Front Royal-Warren County Airport Commission.

- - -

Motion to be Made Coming out of Closed Meeting

I move that the Board certifies to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711(A)(1) 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.