

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on September 21, 2021 at 6:30 PM.

Present: Cheryl L. Cullers, Chair (South River District); Archie A. Fox, Vice Chairman (Fork District); Tony F. Carter (Happy Creek District); Walter J. Mabe (Shenandoah District); and Delores R. Oates (North River District); also present Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Jason J. Ham, Interim County Attorney; David Beahm, Building Official; Mike Berry, Public Works Director; James Bonzano, Chief of Fire and Rescue Services; Sheriff Mark Butler; Michael Coffelt, Sanitary District Manager; Caitlin Jordan, Senior Assistant County Attorney; Gerry Maiatico, Fire Marshal; Joe Petty, Planning Director; Matt Robertson, Deputy Finance Director; Matt Wendling, Deputy Planning Director; and Emily Ciarrocchi, Deputy Clerk of the Board

Closed Session – Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Fox, and by the following vote, the Board of Supervisors entered into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel and briefings by staff members, pertaining to actual or probable litigation where such consultations or briefings in open meetings would adversely affect the negotiating or litigating position of the public body as well as for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice; she further moved that discussion be limited to the Virginia Opioid Abatement Fund.

The Board also entered into a closed meeting under the provisions of Section 2.2-3711(A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice; she further moved that discussion be limited to the Front Royal-Warren County Economic Development Authority:

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

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

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

There were no motions to come out of this closed meeting.

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

Adoption of Agenda – Additions or Deletions

Mrs. Cullers requested the addition of an item to the Consent Agenda to designate Debbie Donehey, Rappahannock County Supervisor, as Voting Proxy for Warren County for the 2021 Annual Meeting of the Virginia Association of Counties (VACo).

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

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

Public Comment Period (60 Minute Time Limit)

Joe Lerch, Director of Local Government Policy for VACo, presented certificates to Mrs. Cullers and Mrs. Oates recognizing their completion of the Certified County Supervisors program, which took place over an 18-month period and required them to complete 65 hours of classroom instruction as well as 35 hours of home study requirements.

Reverend Larry Johnson thanked the Board for considering the adoption of the two resolutions for the naming of the bridges over the North and South Forks of the Shenandoah River and appreciates the Board's support over the years for raising awareness for the County's namesake, Joseph Warren.

There were no further presentations from the public.

Reports – Board Members

Mr. Carter had nothing to report.

Mr. Fox had nothing to report.

Mr. Mabe reported the following:

- Traveled the roads in Shenandoah Farms, Shenandoah Shores, and Blue Mountain
- Attended the first annual community yard sale in Shenandoah Farms on Saturday, September 18th

Mrs. Oates reported the following:

- Attended the Joint Tourism Committee meeting, and they are still working on formation of 501(c)(3) and the Destination Marketing Organization (DMO) called "Discover Front Royal"

- Attended the Frederick County Board of Supervisors meeting and work session on September 8th and listened to a presentation by Frederick Water
- Attended the Samuels Public Library Board of Trustees meeting on September 13th
- Attended the Town/County Liaison Committee meeting on September 16th
- Attended a Constitution Day event on September 17th
- In 2019, the County had \$155 million come into the community in tourism revenue, \$3 million of which came back to the locality; she encouraged citizens to be good ambassadors for the community because October is coming quickly, which means an influx of “leafers”

Mrs. Cullers reported the following:

- Encouraged residents to volunteer for their local fire department
- Attended the Town/County Liaison Committee meeting on September 16th

Dr. Daley reported the following:

- Pleased to announce the appointment of Jane Meadows as the new Human Resources Director; she has both undergraduate and graduate degrees in Human Resources and nineteen (19) years of experience. She will begin working on Monday, October 4th.
- Fire Chief James Bonzano and Fire Marshal Maiatico attended the National Honor Guard Academy graduation on Friday, September 17th to support Honor Guard Commander/Lieutenant Scott Richardson, Firefighter Brian Foley, Lieutenant Anthony Hitt, Jr., and Firefighter Matthew Hunt; Dr. Daley congratulated the graduates and voiced his appreciation for Chief Bonzano supporting this initiative.
- Invited anyone who wishes to attend to the Board of Supervisors work session on Tuesday, October 12th beginning at 7:00 PM when Frederick Water will be delivering a presentation
- Coronavirus Update – The Coronavirus still remains a significant health concern, given the resurgence of the “Delta” variant. Given the County’s 40.6% vaccination rate, and “high” level of community transmission, everyone must maintain a commonsense approach to mitigating any future impacts the virus may bear upon us. Citizens and employees who did not receive the vaccination can contact their Primary Care Manager, the Health Department, or most of the local pharmacies, to receive the COVID-19 vaccination.
- Revenue Updates for August

Sales Tax

2021	2020	Difference
\$489,224.95	\$440,935.76	\$48,289.20 (10.95%)

Year-to-Date

Meals Tax	\$690,088.28
Lodging Tax	\$186,218.68
Business License Tax	\$1,072,191.29

- Wayfinding Signage – The County and Town are working together on the trailblazing signage. Staff expects the County signs to be here in the next few weeks. Our signs were manufactured after the Town signs since the Town was on deadline for their grant. The County Public Works Department has staked the sign locations. We will be meeting with our local VDOT residency to review these.
- Tourism Committee – Jones Lang Lasalle Americas, Inc. (JLL) continues to perform joint tourism services for the Town and County. They host bi-weekly meetings with the Joint Tourism Committee. They are monitoring the metrics for the current marketing campaigns and updating the Committee. JLL is working on by-laws and incorporation documents for the 501(c)(3), and the County is drafting a new Memorandum of Agreement (MOA) between the Town and County for the Joint Tourism Board.
- Development Review Committee – The Development Review Committee will meet on September 22, 2021 to discuss the following projects:
 - Proposed Warehouse Facility – Corner of Baugh Drive and Fairground Road
 - Enclosed Storage Facilities – Winchester Road (2), Winners Court
 - Equus Warehouse Facility – Winchester Road
 - Interchange, Phase II – Toray Drive
 - McKay Springs – Corner of Winchester Road and Reliance Road
- Appalachian Trail Connector Update – Mr. Petty will be meeting with VDOT on October 7, 2021 to discuss various options for the AT Connector.
- Shenandoah Valley Rail Trail – On Tuesday, September 7, 2021, the Board approved the allocation of \$15,000 to the Northern Shenandoah Valley Regional Commission for the appraisal work for the Shenandoah Rail Trail Exploratory Project.
- Building Inspections for August

New Home Starts Year-to-Date

County	Town	Total	Total for 2020
20	10	30	15

Permits Issued Year-to-Date

2021	2020	Difference
273	201	72 (26.37%)

Inspections Completed Year-to-Date

2021	2020	Difference
1,186	1,029	157 (13.24%)

*Note – The increase from the normal totals for the Town is reflective of one builder constructing three (3) duplex units that accounts for six (6) of the ten (10).

Also, the Town indicated at the September 16, 2021 Liaison Committee meeting that they will be assuming responsibility for Town permits and related inspections effective January 1, 2022.

- Parks and Recreation

- Current/Upcoming Programs and Activities:

- Gymnastics Classes

The Warren County Parks and Recreation Department is accepting registrations for their Gymnastics classes, for those ages 3 years and older.

Location: Classes are held at the Warren County Health and Human Services Complex Gym, 465 W. 15th Street, Front Royal, Virginia, 22630 beginning this Saturday, September 25, 2021

Cost: The cost of the class is \$85.00 per child and includes the uniform

- Cribbage

Players will enjoy several hands of Cribbage against skilled opponents.

Dates: Mondays, September 13, 2021 - September 27, 2021

Time: 10:30 a.m. - 1:00 p.m.

Location: Warren County Health and Human Services Complex Band Room

- Karate Classes

This program will encompass the usual stances, kicking, punching techniques, stretching, weightlifting (2 to 4 lbs.), and overall history and review of martial arts.

Dates: Saturdays, September through December 2021

Times: 12:00 p.m. - 1:15 p.m.

Cost: \$120.00 per participant for ten (10) consecutive classes

Location: Front Royal Karate Club

Ages: 5 to 16 years of age

- Park Facility Projects

- Community Shelter in Seide Memorial Park: Park staff continues acquiring/ordering the project materials. The ordering process will take some time. All shelter items will be special ordered. Staff completed digging footers and framing up the footer holes for the project on September 7th and 8th.

- Story Walk Reading Project: The Front Royal Rotary Club awarded a grant to Samuels Public Library, the Front Royal Rotary Club for a Story Walk Reading Project idea at Eastham Park. All sponsor committee representatives met at Eastham Park trail #1 on September 10th to inspect the area for the reading project. The committee recommended placing the posts 100' apart totaling approximately 2000'. There will be 20 posts. Ms. Ross has ordered the aluminum Story Walk posts and other materials to be shipped to the Warren County Park Maintenance, 1100 Stadium Drive.

- Department of Social Services – In the month of July, DSS received:

- 118 SNAP Applications
- 121 Medicaid Applications
- 24 TANF Applications
- 9 Child Care Applications
- 1,301 Phone calls
- 1,520 Lobby clients

On the Services side, in the month of July, DSS received:

- 55 CPS referrals
- 23 APS referrals

Services rendered:

- Spent \$594.64 in August from the Ministerial Fund for housing, gas, and prescriptions
- One Stop Resource Center 1st and 3rd Wednesdays
- Food giveaway at First Baptist on Saturday, August 14th
- Met with the Director of the Continuum of Care in Harrisonburg to discuss our future with meeting the needs of the homeless in Warren County
- Department staff collected shelf-stable food for our homeless and those living in motels
- Supplied food and hygiene products for 21 people in August
- Virginia Hills Church donated 25 backpacks filled with school supplies for those in need. They are also collecting backpacks/lunch bags (filled with Elementary School supplies) to be brought to the Department for distribution

- Department of Fire and Rescue Services

- Staff continues to prepare for a Paramedic Advanced Life Support Training and Education Program slated to begin in October. This program will train 8 staff members to the paramedic level with the goal of staffing all stations to the ALS Level.
- WCFR will be hosting a Leadership Program on October 23rd focused on the Perspectives in Servant Leadership. To date, 65 attendees have registered.
- Four staff members have graduated the National Honor Guard Academy and will begin development and implementation of a WCFR Honor Guard. Congratulations to Lieutenant Scott Richardson, Lieutenant Anthony Hitt, Firefighter Brian Foley, and Firefighter Matthew Hunt on their success and contributions to the Department.
- Staff continues to evaluate COVID-19 and the Delta Variant and impacts to the response system.
- Station 6 Building Enhancements underway, staff continues to evaluate situation and make appropriate corrections as needed.
- Grants still pending:
 - FY-2020 SAFER Grant for 18 staff positions (first round announced, WCFR not included to date)

- FY-2020 AFG Countywide PPE (8 rounds announced, WCFR not included to date)
 - DHS Swiftwater PPE – 18 sets
- Training Center Fire Incident- awaiting insurance review of loss estimates.
- Part-time Firefighter/Medic Dale Orebaugh has been added to full-time status to fill a vacancy created by employee relocation out of state. He will be assigned to the Rivermont Station.
- Rivermont Fire Station – The project is pending final approval from the Department of Environmental Quality (DEQ) in order to obtain the final certificate of occupancy.
- Commercial/Industrial Projects – Work continues on the following projects:
 - The new Warren Memorial Hospital maintains a Temporary Certificate of Occupancy (TCO) for the entire building until both the Town of Front Royal and Department of Environmental Quality (DEQ) provide their approvals.
 - Equus Warehouse facility – The site work continues and building permits have been approved. Many other aspects of construction will require additional permits, but those will be submitted in time.

Appropriations and Transfers

On a motion by Mr. Carter, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the additional appropriations and transfers as presented and shown below for September 2021:

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

APPROPRIATIONS

Parks & Rec	Donation for the Seide Park Shelter	\$50,000
Skyline Regional	July 2021 Peer Support Training Fees received against Peer	\$25,000
Crim. Just. Academy	Support Training expenses paid	
Health	LCI Services sponsorship at Health and Human Services Complex	\$125

TRANSFERS

Special Projects/ Reassessment	Carrying over prior year Reassessment budget and transferring from Special Projects fund to cover Reassessment contract cost	\$374,400
Information Technology	Transfer budget for the BAI & NGS agreements to Information Technology for payment	\$19,044
Special Projects/ Parks & Recreation	Transfer from Special Projects for renovations to the Senior Center	\$25,000
Fire & Rescue	Transfer already allocated budget to appropriate expenditure lines	\$25,000

Special Projects/ Elections	Transfer from Special Projects for Election's office renovations	\$50,000
Parks & Recreation	Transfer for Rockland Park Basketball Court design development plan payment to Land Planning and Design Associates, Inc. (FY 21-22)	\$6,718
EDA	Economic Development Transfer from Professional Services to Enterprise Zone Grants	\$400,000
Sheriff's Office	Transfer of additional E-911 funding to Special Projects for future Dispatch Consoles/Furniture replacement	\$83,020

Approval of Accounts

On a motion by Mr. Carter, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the list of September 2021 accounts as presented:

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

Check Numbers 297972 to 298268

Total: \$2,765,153.36

Approval of Minutes

On a motion by Mr. Fox, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the minutes of its regular meeting of August 17, 2021 as presented:

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

Consent Agenda

1. Acceptance of Grant from the Department of Criminal Justice Services (DCJS) for a School Resource Officer/School Security Officer – Sheriff Mark Butler
2. Resolutions of Support to Name the Bridges over the North and South Forks of the Shenandoah River – Ed Daley
3. Reclassification of Human Resources Director Position – Ed Daley
4. Authorization to Create a Countywide Firefighter Personal Protective Equipment (PPE) Program and Allocation of Aid to Localities (ATL) Funds – Chief James Bonzano
5. Request to Approve Agreement between the County and VML/VACo on an As-Needed Basis for Pre-Audit and Accounting Services – Ed Daley
6. Coyote Bounty – William A. Atwood (1) – \$50.00 Each – Animal Control
7. Designation of Debbie Donehey, Rappahannock County Supervisor, as Voting Proxy for the 2021 Annual Meeting of the Virginia Association of Counties – Cheryl Cullers

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the Consent Agenda as presented:

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

Request to Create a Warren County Office of Economic Development – Ed Daley

Dr. Daley stated the Board had previously discussed the possibility of absorbing economic development services under the County umbrella and creating an Office of Economic Development. The opportunity to move forward with this plan is available due to the resignations of Doug Parsons, Executive Director, and Gretchen Henderson, Administrative Assistant.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the creation of the Warren County Office of Economic Development and authorized the County Administrator to recruit and employ a Director of Economic Development and an Administrative Assistant, prepare information so the Board can add these positions to the Warren County Compensation and Classification System, and prepare budget transfers to the new department for Board approval. The Board further directed staff to continue to investigate the feasibility of a joint Front Royal/Warren County Office of Economic Development:

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

Public Hearing – Modification Request for Conditional Use Permit 2007-11-02, Amy Cavalier for a Kennel – Matt Wendling

Matt Wendling, Deputy Planning Director, reported the applicant has had this conditional use permit for a kennel since 2008 with no complaints. Recently, the kennel insurance company did a review of its policy and questioned why they could only have two dogs out at once in the yard per condition #13. The applicant would like to modify this condition to allow for families with multiple dogs per household to be outside at the same time. The kennel does not do playgroups, and dogs only go outside with dogs from the same family, but they need to utilize all three yards simultaneously. There are three large yards each surrounded by a six-foot solid fence with a mature treen line separating the fence from any surrounding neighbors, and they have never had a noise issue.

The applicant is also requesting to modify condition #2, which only allows grooming services for dogs while boarding with the kennel. They have many customers who would like to utilize their grooming services as needed when not boarding with them. The kennel would like to offer grooming to the general public during regular business hours by appointment only. The applicant would also like to modify condition #12 to change their business hours to daily from 9:00 AM to 7:00 PM to better accommodate their clients.

Mr. Mabe believes having twelve dogs in three pens seems like too many at one time, and Mr. Wendling said the pens and yards have more than adequate space. Mrs. Oates said she has boarded her four family dogs with Cavalier Kennels and has specifically asked the dogs to be kept together because she was going to be gone for ten days. There is lots of open space, and the area is not as enclosed as Mr. Mabe is imagining.

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

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the request modify conditions 2, 12, and 13 of Conditional Use Permit 2007-11-02 as requested by the applicant and recommended by County staff:

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

1. The applicant shall be limited to the 32 kennels.
2. The kennel shall be used for boarding and grooming services on a by-appointment basis only.
3. The applicant shall meet all Virginia Department of Transportation, Warren County Health Department, Warren County Animal Control and Warren County Humane Society requirements.
4. The applicant shall comply with Section 180-49 (B) (C) & (D) of the Warren County Zoning Ordinance.
5. Any structure or area occupied by animals shall be no closer than 47 feet to the rear property line, 50 feet to the west property line and no closer than 100 feet to the front and east property lines.
6. The applicant shall allow agents of Warren County and the Warren County Humane Society to inspect the property upon request and report the findings to the Planning Commission.
7. *Removed.*
8. All animal waste shall be disposed of properly.
9. The property shall be kept clean of debris at all times.
10. This permit shall be reviewed annually by the Warren County Planning Department.
11. The building used to house the dogs shall be soundproofed.
12. The hours of operation shall be daily from 9:00 AM to 7:00 PM.
13. The three outside pens shall be limited to a maximum total of twelve dogs at any one time and not limited to the number of dogs per each pen as long as the total is not exceeded.
14. The applicant shall plant a landscape buffer along the rear property line consisting of two (2) Leyland cypress trees per ten (10) feet and screen the existing dumpster area with a board-on-board fence as required by the County's landscaping ordinance.
15. All building permits issued to the property must receive final inspections.

Public Hearing – Conditional Use Permit 2021-07-02, Hilda Keister for a Short-Term Tourist Rental – Matt Wendling

Mr. Wendling reported the applicant, Hilda Keister, is requesting a conditional use permit for a Short-Term Tourist Rental for a structure historically referred to as Signal Knob Retreat Center Buttonwood Lodge. The property is located at 7610 Strasburg Road and identified on tax map 9, lot 52A; the property is zoned Agricultural (A) and located in the North River Magisterial District. This retreat center was established in the early 1980's on the Keister family farm for use by the Evangelical Lutheran Church in America and leased to the Caroline Furnace Lutheran Camp and Retreat Center until 2020. The property has ten (10) bedrooms and six and ½ baths, which allows for up to twenty (20) persons at any one time.

The applicant is requesting that she be allowed the maximum occupancy of ten (10) persons per the supplemental regulations and Health Department approval for that number of guests. The use as a retreat center was grandfathered, and the property would no longer be utilized for that use if the conditional use permit is approved. The applicant would like to establish this land use as a secondary use to the working farm in order to provide additional income in lieu of renting the property full-time. Dennis Baker, a relative of Mrs. Keister, lives across the road (Route 55 West) and would be the acting property manager since that is his permanent residence.

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

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed ten (10) as determined according to the supplemental regulations and Health Department operational permit.
3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

Mrs. Oates brought up a question that was raised during the Planning Commission's public hearing about where the line would be between a tourist rental and a hotel. Mr. Wendling responded that would be a question for the Health Department, and Mr. Petty stated while the Warren County Zoning Ordinance defines what a hotel is, it does not specify number of rooms.

Mr. Carter asked if this tourist rental would allow several different groups of people staying at one time or would be limited to family only. Mr. Wendling said the property can be rented to anyone as long as there are not over ten (10) people.

Mr. Fox asked if there were any considerations for this property being located in the Special Flood Hazard Area, and Mr. Wendling said while the property is located partially in Floodzone "A" (1% annual chance), the dwelling itself is not.

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

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Hilda Dorothea Keister for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

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

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed ten (10) as determined according to the supplemental regulations and Health Department operational permit.
3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

Public Hearing – Conditional Use Permit 2021-07-03, 2Mexico, LLC and B. Allen Richards, LLC for a Short-Term Tourist Rental – Joe Petty

Joe Petty, Planning Director, reported the applicants are requesting a conditional use permit for a short-term tourist rental. The property is located at 1115 Riverview Shores Drive and identified on tax map 13C, section 4, block 4, lot 612; the property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District. The rental will be available for short-term visitations for individuals who will be visiting the Warren County area. The owners currently live in Winchester, Virginia and will have the home professionally

cleaned and maintained in between reservations. They have years of experience owning/operating short-term rentals in the Shenandoah Valley area.

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

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 four as determined according to the Health Department permit for a two-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.

Richard Butcher and Gillian Greenfield, applicants, thanked the Board for its consideration of this conditional use permit application. They have provided the Board with a detailed property management plan and explained their hands-on management style for their properties. The conditional use permit was unanimously approved by the Planning Commission, and the understanding for a permit like this is that it can be revoked if the conditions are not met. They assured the Board they are responsible managers of short-term tourist rentals who have support of the surrounding owners.

Mr. Fox inquired about the management of the septic system, and Ms. Greenfield responded it would be inspected annually.

Mrs. Cullers opened the public hearing.

William Barnett, 1115 Buck Mountain Road, has had the pleasure of working with Ms. Greenfield in various business relationships for over twenty years. He thinks she manages a well-run real estate business and supports the approval of this application.

Amanda Slate, 3762 Browntown Road, said she built her first home in Shenandoah Shores when she was 19 and is familiar with the area. She noted Shenandoah Shores used to be a retreat community with a pool and clubhouse, and over time with the increase in full-time residences, there is a higher impact on the public water system. She is in support of this application and believes it represents bringing back the original intent of the community as well as tourism to the area.

Julio Pascual, 272 Mountain View Drive, stated he is not a rental property investor, nor does he own any interest in rental properties. He is close to retirement and plans to

travel the country, and he hopes to one day rent his Shenandoah Shores property part-time to help him fund his travels. Front Royal is an adventure mecca, and tourism is important to the area. He believes Ms. Greenfield and Mr. Butcher should have the right to rent their property to provide additional space for tourists to stay and spend locally. With the right rules and regulations in place and proper oversight, this rental will be a win-win situation.

Eric Sams, 1255 Riverview Shores Drive, said he lives two houses away from the proposed rental property and is all for it.

Katherine Fedoryka, 256 Pine Shores Drive, reported as part of receiving comments for the application when it was first submitted, the Planning Department reached out to Shenandoah Shores Property Owners Association (POA). The President of the POA said a rental like this was against the bylaws of the POA but could not specify where this was stated. Ms. Fedoryka said the bylaws state, "No...short term tourist rental...may at any time be carried on or permitted upon subject lot(s) except as approved by the Warren County Zoning Ordinance." As the conditional use permit process is per the Zoning Ordinance, this use is not actually forbidden by any covenants or bylaws of the neighborhood. She also voiced her appreciation for the beautification that the applicants have done to the property.

Diane Oleksia, 32 Jenkins Court, said she has been a resident of Shenandoah Shores for over thirty years, and she believes approving this permit will help other owners who may want to rent their homes. She has heard people voice concerns about how renters will behave while at rental properties, but the applicants have made it clear in discussions that they have very strict rules and regulations for vetting potential renters. There will be more control over the short-term renters than over any average neighbor.

Terry Hartson, 1538 Riverview Shores Drive, said he would prefer having a short-term as opposed to a long-term rental because those properties do not have trash piling up or potential inoperative vehicles and lawnmowers in the yard.

Aaron Mills, 1085 Riverview Shores Drive, has owned property in Shenandoah Shores for the past twenty years and thinks this rental will be a great addition. He appreciates how well the applicants have fixed up the property.

Emily Bangs, 120 Agape Way, Stephens City, introduced herself as a representative of Clean and Serene, the cleaning service for Ms. Greenfield's and Mr. Butcher's properties in Winchester and Frederick County. She has always found the applicants to be consistent and very responsive, and they are often at the properties on a weekly or daily basis. The guests leave the properties well cared for; they are responsible and held responsible.

Damian Fedoryka, 256 Pine Shores Drive, owns several properties in Shenandoah Shores and is in support of the applicants and short-term tourist rentals in general. Short-term tourist rentals directly contribute to tourism as opposed to long-term rentals. Owners of tourism rental business have a vested interest to keep the properties nice and the neighbors happy.

Matthew Akers, 1962 Milldale Road, introduced himself as legal counsel for the applicants. He wanted to reiterate that there are no restrictions in the covenants or bylaws of the neighborhood regarding using a property as a short-term tourist rental.

Gerry Nicholls, resident of Winchester, said he and his family are frequent users of AirBnB and VRBO rentals. Staying in rentals like these help them truly feel like they are becoming part of the community for a short time. In his experience, guests always strive to leave the rental in as good or better condition as when they arrived.

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

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the conditional use permit request of 2Mexico, LLC and B. Allen Richards, LLC for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

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

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 four as determined according to the Health Department permit for a two-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.

Public Hearing – Conditional Use Permit 2021-07-04, Rachelle Hill and Don Beavers for a Short-Term Tourist Rental – Joe Petty

Mr. Petty reported the applicants, Rachelle Hill and Don Beavers, are requesting a conditional use permit for a short-term tourist rental. The property is located at 185 Rocky Spring Lane and identified on tax map 24B, section 1, block 22, lot 636; the property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District. The rental will be available for short-term visitations for individuals who will be visiting the Warren County area. The owners currently live in Reston, Virginia and plan to clean and maintain the property in between reservations. They also currently own the adjoining property to the west located 153 Rocky Spring Lane.

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

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 four as determined according to the Health Department permit for a two-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.

Don Beavers, applicant, said he is an experienced manager of short-term rentals with over 120 five-star reviews. As a licensed home inspector, he holds himself personally responsible for managing the properties. He has not yet been able to find a local property manager, but his parents, who live locally, are willing to address any emergency issues that arise.

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

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Rachelle Hill and Don Beavers for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

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

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 four as determined according to the Health Department permit for a two-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.

Public Hearing – Conditional Use Permit 2021-07-05, George and Michele Kopcsak for a Short-Term Tourist Rental – Matt Wendling

Mr. Wendling reported the applicants, George and Michele Kopcsak, are requesting a conditional use permit for a Short-Term Tourist Rental for rental of an accessory studio apartment for less than thirty (30) days. The property is located at 3609 Buck Mountain Road and identified on tax map 37, lot 66A; the property is zoned Agricultural (A) and located in the South River Magisterial District. The applicants renovated a barn on their property into a one-bedroom studio apartment after they experienced a devastating fire to the main dwelling on the property in February 2018. They lived in the dwelling during the restoration for sixteen (16) months, which was approved by Zoning and Building inspections through the permitting process.

The applicants' initial intent was not to use it for a Short-Term Tourist Rental, but after moving back into the principal dwelling, they thought it would be something they could do to recoup their costs and generate supplemental income for the maintenance of their property. The owners live in the principal structure full-time and will be the property managers.

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

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed two as determined according to the Health Department operational permit for a one bedroom for the studio dwelling unit.
3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

George Kopcsak, applicant, said he and his wife moved here in 1994, and it was a tragedy when they lost their home in February 2018. They made the decision to restore the 1831 home to its historic nature, and renting out this space would help them recoup the costs of the restoration and supplement his military retirement income.

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

On a motion by Mr. Fox, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of George and Michele Kopcsak for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

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

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed two as determined according to the Health Department operational permit for a one bedroom for the studio dwelling unit.
3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

Public Hearing – Conditional Use Permit 2021-07-06, Jesse McClain for a Short-Term Tourist Rental – Matt Wendling

Mr. Wendling reported the applicant, Jesse McClain is requesting a conditional use permit for a Short-Term Tourist Rental to promote and market Warren County and the Northern Shenandoah Valley's natural resources to visitors to the area. The property is located at 894 Blue Mountain Road and identified on tax map 15, lot 35A1; the property is zoned Agricultural (A) and located in the Shenandoah Magisterial District. Ms. McClain would like to create an oasis for people to enjoy the outdoors and environmental assets of her property. She also hopes to offset costs for her principal dwelling and possibly purchase adjacent lots for conservation and open space preservation. She hopes to provide an alternative to the traditional hotel-motel lodging experience.

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

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department operational permit for a three-bedroom for the dwelling unit.

3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

Jesse and Damian McClain, the applicant and her husband, said they intend to create an oasis that will resonate with people who enjoy nature. They assured the Board there would be absolutely no fireworks or firearms permitted on the property.

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

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the conditional use permit request of Jesse and Damian McClain for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

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

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department operational permit for a three-bedroom for the dwelling unit.
3. 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.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

Adjournment

Mrs. Cullers adjourned the meeting at 8:32 PM.