

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

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

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

Adoption of Agenda – Additions or Deletions

Mr. Carter requested to change the closed session item to an open session item for a citizen appointment to the Parks and Recreation Commission.

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

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

Public Comment Period (60 Minute Time Limit)

Michael Williams, 1405 Jefferson Avenue, voiced his concern about a local church that hosted a political forum in the church and was moderated by an individual who contributed money to one of the candidates participating in the forum. He believes this political forum violates the non-profit and tax-exempt status of the church where it was held, especially since it was publicized as a non-partisan event.

Larry Cox, 557 Lake Drive, said he has been a resident of Shenandoah Farms for over thirty (30) years, and Lake Drive has been a high priority on the revenue sharing plan for nearly as long. The road conditions of Lake Drive are the same as when he moved there in 1984, and he has been told every year that the road will be paved. To-date only the top and bottom of the road have been paved while the middle section of the road continues to be gravel. He thinks paving in sections like this represents wasted man hours and fuel.

Christy McMillin-Goodwin, 6 Massie Street, introduced herself as the pastor at First Baptist Church and President of the Front Royal-Warren County Ministerial Association this year. She, her church members, and the Ministerial Association are committed to finding

ways to care for neighbors who find themselves in difficult situations, and as such created the Thermal Shelter for homeless individuals in the community three years ago, which was hosted on a rotating basis by several churches in the Ministerial Association. Due to the pandemic, the churches were unable to host the Shelter, and the County stepped up and temporarily relocated the Shelter to the Health and Human Services Complex. Recently, she and the Ministerial Association found out the County ripped out the bathrooms closest to where the Shelter is located in the Complex. She is requesting the County allow the homeless individuals at the shelter to use the restrooms down the hall near the Department of Social Services' offices since the offices are unoccupied and locked at night.

Aneita Bryant, 152 Gloucester Road, representative from the Thermal Shelter, is grateful to have had the cafeteria at the Complex for the last season, which worked very well. But she feels like they were blindsided in finding out the bathrooms were gutted and rendered unusable without so much as a phone call. The Shelter's season starts in nine weeks, and the lack of restrooms is causing unnecessary grief. She also asked the County to allow the patrons of the Shelter to use the next closest restroom facilities inside the building.

Craig Anderson, 110 Sunset Lane, believes totalitarians are controlling the population with fear, and even though the President says the greatest threat to America is white supremacy, Mr. Anderson says he is not racist because he treats people like they treat him. He thinks the "woke" people are falling into this trap of alleged racism and would like to see a "Warren Ain't Woke" movement begin in the County. He thinks the Black Lives Matter movement is anti-American and wants an "All Lives Matter" flag made and flown at the gazebo on Main Street in Town.

Jim Bunce, 108 Manassas Avenue, said the Thermal Shelter is a vital resource for the sizeable homeless population in the community, and accessible restroom facilities are vital for the needs and dignity of this vulnerable population.

There were no further presentations from the public.

Reports – Board Members, County Administrator, Interim County Attorney

Mr. Carter reported the following:

- Halloween is coming up on Sunday, October 31st, and he encouraged everyone to be careful while driving around and/or trick-or-treating
- Encouraged citizens to go out and vote on November 2nd

Mr. Fox had nothing to report.

Mr. Mabe had nothing to report.

Mrs. Oates had nothing to report.

Mrs. Cullers reported the following:

- Leaf watchers from out of town are here, and she reminded residents to be patient; she also encouraged drivers to be wary of leaves on wet roads and to watch out for deer
- Extended sympathy to Jamie and Timmy Lentz for the loss of their mother last week
- Attended the candlelight vigil for Logan Maiatico and noted the similarly untimely passing of Brody Michael almost exactly one year ago

Dr. Daley reported the following:

- Reminded the Board of the Building Committee and Drug Prevention Committee meetings on Thursday, October 21st at 2:00 PM
- Said he was responsible for the lack of bathrooms in the Health and Human Services Complex; when the Thermal Shelter was in the Complex last year, the toilets continuously backed up because the terra cotta piping (original to the construction of the building) were crushed. He knew the restrooms were being demolished, but he was not aware they would take so long to be replaced. He will ensure restrooms will be available for the residents of the Shelter this season and proceed with the Request for Proposals to find a contractor and hopefully get the restrooms replaced by the end of the season.
- Coronavirus Update – The Coronavirus remains a significant health concern, given the resurgence of the “Delta” variant. With the County’s 42.5% fully vaccinated rate, and a sustained “high” level of community transmission throughout most of the Commonwealth, everyone must maintain a commonsense approach to mitigating any future impacts the virus may bear upon the County. Citizens and employees that 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
\$475,675.55	\$434,440.75	\$41,234.80 (9.49%)

Year-to-Date	
Meals Tax	\$798,145.23
Lodging Tax	\$221,566.82
Business License Tax	\$1,079,572.94

- Wayfinding Signage – The County and Town are working together on the trailblazing signage. The signs have been delivered, and staff is in the process of moving them into the County’s storage area. County staff will be meeting with VDOT to review the locations staked by the Public Works Department. They will be completing the permitting process with VDOT now that the sign locations have been staked and the signs have been delivered.

- Tourism Committee – Jones Lang Lasalle Americas, Inc. (JLL) continues to perform joint tourism services for the Town and County. 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. The Town and County are meeting to continue discussions on tourism moving forward.
- Development Review Committee – The Development Review Committee met on September 22, 2021 and discussed the following projects:
 - Contractor's Storage Yard – 6986 Winchester Road
 - Outdoor Commercial Recreation Facility – 650 Water Plant Road
 - Cluster Housing Developments (47 lots) – Reliance Road
 - Short-Term Tourist Rentals
 - Comprehensive Plan Review Underway
 - Proposed Warehouse Facility – Corner of Baugh Drive and Fairground Road
 - Enclosed Storage Facilities – Winchester Road (2), Winners Court
 - Equus Warehouse Facility – Winchester Road
 - McKay Springs – Corner of Winchester Road and Reliance Road
 - Interchange Phase II – Toray Drive

The Committee will meet again on October 27, 2021, at 10:00 AM.

- Appalachian Trail Connector Update – Based off a meeting with VDOT on October 7, 2021, it is with unfortunate circumstances that the County respectfully withdrew the proposed project. The original vision for the trail was to provide an 8'-10' shared use path along Route 522 that would serve as a transportation connector from the Appalachian Trail and surrounding neighborhoods to the Town of Front Royal. However, due to certain challenges, the design has become less desirable, may not provide a logical termini, and most of all may pose safety concerns due to its close proximity to a high speed and traffic roadway.
- Shenandoah Valley Rail Trail – The final report is due to the Virginia General Assembly by November 1, 2021.
- Building Inspections for August

New Home Starts Year-to-Date

County	Town	Total	2020 #s
11	0	11	20

Permits Issued Year-to-Date

2021	2020	Difference
186	261	-75 (-40.32%)

Inspections Completed Year-to-Date

2021	2020	Difference
1,026	1,209	-183 (-17.84%)

*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:

- Youth Basketball League

- Games will begin Saturday, December 4, 2021, and will be held at the Warren County Health and Human Services Complex, located at 465 15th Street and Ressie Jeffries Elementary School, located at 320 E. Criser Road. Practices will be held twice a week including Saturdays, until games start and the once a week when games begin. Practices are held at various locations.

- Tiny Tykes Basketball

- The Tiny Tykes Basketball League practices will be held on Sundays beginning December 5, 2021, at Ressie Jeffries Elementary School, located at 320 E. Criser Road. Games are scheduled to begin on Sunday, January 16, 2022, and will also be held at Ressie Jeffries Elementary School.

- Park Facility Projects

- Community Shelter Project Update: The Avtex Retirees Club has given a Monetary Donation of \$50,000 for the construction of a 48' x 32' shelter in Dr. Saul Seide Memorial Gardens Park. Ms. Stewart from the Club provided the donation check on October 8th.

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

- 108 SNAP Applications
 - 137 Medicaid Applications
 - 30 TANF Applications
 - 12 Child Care Applications
 - 897 Phone calls
 - 1,421 Lobby clients

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

- 67 CPS referrals
 - 25 APS referrals

Services rendered:

- Working with placing clients in Motel using the Motel voucher grant. Since September 10th, the Department has have spent \$4475.35 on 11 clients.
 - The Department has used \$1694.56 from the Ministerial Fund helping 8 clients.
 - Provided food to 18 individuals

- Provided clothes for E. Wilson Morrison Elementary School and individual clients
- Provided one gas card

DSS helped with the following fundraisers/events:

- Concern Hotline's Fish Fry
- Habitat for Humanity – Table
- Thermal Shelter BBQ lunch fundraiser at the Moose Lodge

- Department of Fire and Rescue Services

- Staff continues to develop the Strategic Plan and Needs Assessment for the Department. A working copy of the document will be presented and discussed with the Fire Chiefs Advisory Staff and Board of Supervisors throughout the development phase.
- The Department participated in the 2021 National Fire Prevention Week with the team of “learn the sounds of fire safety”. Special thanks to all staff who participated in the development of these educational messaging efforts.
- Firefighters Brian Foley and Ryan Baldwin attended the ImageTrend Conference. This event allowed staff to determine how to better utilize the reporting system to create effective data collection points, ensure compliance with best practices, etc.
- Staff continues to prepare for a Paramedic Advanced Life Support Training and Education Program slated to begin later this month. This program will train eight staff members to the paramedic level with the goal of staffing all stations to the ALS Level.
- The Department will be hosting a Leadership Program on October 23rd focused on the Perspectives in Servant Leadership. To date, 85 attendees have registered.
- The Department has received official notification that it was not selected for the SAFER or AFG Grants. Staff continues to evaluate staffing arrangements and future grant opportunities to determine best course of action.
- Grants still pending:
 - DHS Swiftwater PPE – 18 sets
- Training Center Fire Incident - awaiting insurance review of loss estimates.
- Logan Maiatico, 19 years old; volunteer member of Linden Station 4 and son of Captain Tony Maiatico, nephew to Gerry Maiatico tragically lost his life in a car accident on Monday, October 4, 2021 in Stafford County, VA. Logan was a student of the 2021 Volunteer Fire Academy and aspired to follow his father's footsteps. The Department continues to keep Captain Maiatico and family in their thoughts and prayers.
- Staff will be attending the Virginia Fire Officer Academy and Virginia Chief Officer Academy this month. Lieutenant Austin Cucciardo has been selected to attend the Fire Officer Academy and Captain Gerry Maiatico the Chief Officer Academy. The Department wishes them the best of luck at the academy.

- 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) until Department of Environmental Quality (DEQ) provides their approval. MRI suite work continues.
 - Equus Warehouse facility – The site work continues and building permits have been approved. Tilt-Up walls continue to go up as well as underground plumbing within the building. Review for Erosion and Sediment Control (ESC) has begun and DEQ is reviewing concurrently. No Building plans have been submitted yet but are anticipated shortly.

Public Hearing – Conditional Use Permit 2021-08-01, Charles and Lou Ann Dotson for Private Use Camping off Burma Road and Identified on Tax Map 19H, Section 1, as Parcels 7 and 8 – Matt Wendling

Matt Wendling, Deputy Planning Director, reported the applicants are requesting a conditional use permit for Private Use Camping on two vacant lots in the Man-Da-Lay subdivision which is located in the Special Flood Hazard Area (SFHA). The applicants purchased these lots 17 years ago and have used them for family picnics and river recreational activities during that time. The applicants recently purchased a 5th wheel RV camper and would like to use it on their lots for camping during throughout the year. The applicants' intent is to continue to use the property for outdoor recreation and family gatherings. The conditional use permit would also allow them to erect a single accessory structure up to 160 square feet for storage of recreational and property maintenance equipment with the issuance of a building permit. The applicants plan to utilize a port-o-john for seasonal use while staying on the property.

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 regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

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 Charles and Lou Ann Dotson for Private Use Camping (Non-Commercial) 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 regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

Public Hearing – Conditional Use Permit 2021-08-02, Jacob Lott, Jr., and Sandra Kiepfer for a Short-Term Tourist Rental Located at 50 Little Indian Road and Identified on Tax Map 16A, Section 1, Block 2, as Parcel 43A – Matt Wendling

Mr. Wendling reported the applicants are requesting a conditional use permit for a short-term tourist rental to rent the single-family dwelling for less than thirty days in order to generate investment income for their retirement. They live across the street from the property and will be the acting property managers for the short-Term tourist rental. They stated they have 10 years of experience with managing short-term tourist rentals that are located in Warren County operating as Hot Tub Heaven.

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 four as determined according to the Health Department operational permit for a two-bedroom dwelling.
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. 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 Jacob Lott, Jr., and Sandra Kiepfer 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 four as determined according to the Health Department operational permit for a two-bedroom dwelling.
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 2021-08-03, Nicole and Sean McMinn for a Short-Term Tourist Rental Located at 277 Sagar Drive and Identified on Tax Map 26A, Section 1, Block 5A, as Parcel 3A – Matt Wendling

Mr. Wendling reported the applicants are requesting a conditional use permit for a short-term tourist rental to rent the single-family dwelling for less than thirty days in order to offset the costs of the second home. They plan to use the home for part-time use and would like to rent it out short term in order to give them flexibility to schedule their time at the property. They intend to have a local contractor manage the property and will be available for any additional issues or questions relating to the rental of the property.

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 four as determined according to the Health Department operational permit for a three-bedroom dwelling.

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.

Nikki and Sean McMinn introduced themselves as the applicants for this conditional use permit who currently live in Washington, D.C. but have talked about moving to Front Royal at some point after spending much of the past year here due to the pandemic. They purchased this second home and would like to rent it out when they are not using it. They believe the County and Town have shown commitment to tourism in the community, and a short-term rental like this will help promote tourism. They will put up signs and barriers around property to prevent trespassing and will also establish quiet hours from 10:00 PM – 7:00 AM. The property has no immediate neighbors as the adjacent lots are undeveloped, vacant land. Further, no property owners in their subdivision have expressed opposition to this application.

Mrs. Cullers opened the public hearing. Mrs. Ciarrocchi read comments submitted via email in support of this application from the following individuals:

- Kevin Poplaski of Saga Meadery
- Curtie Mullins of C&C Home Improvements, LLC
- John Gibson of Downriver Canoe Company
- Kelly and Jeff White of Glen Manor Vineyards
- Justin and Felicia Katzovitz
- Lisa Hagen
- Nick Caporossi
- Caitlin Love of Front Royal Wines

There being no further 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 Nicole and Sean McMinn 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 four as determined according to the Health Department operational permit for a three-bedroom dwelling.
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.

Appropriations and Transfers

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

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

APPROPRIATIONS

Parks & Recreation	Transfer McInnis donation check to pay invoice for Don McInnis memorial bench	\$1,323
Parks & Recreation	To de-appropriate portion of Seide Park Shelter donation already utilized	\$3,600
Skyline Training Acad.	Appropriate Law Enforcement Officer Basic #9 and Jail Officer Basic #9 uniform reimbursements received toward uniform expenditures paid	\$3,987
Health	Appropriate LCI Services sponsorship at Health & Human Services Complex	\$125

TRANSFERS

Special Projects/ Children's Services Act	To cover supplemental request from State for necessary CSA expenditures	\$192,088
Special Projects/ Economic Development Authority	Transfer for Warren County share of wayfinding signage project as approved by Board of Supervisors	\$84,900
Special Projects/ Refuse Disposal	To transfer funds in support of payment to the Septage Facility debt per Memorandum of Understanding	\$126,500
Special Projects/ Parks and Recreation	To transfer funds for playground border project at Gertrude E. Miller and Linden Parks	\$7,157

Approval of Accounts

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the list of October 2021 accounts as presented:

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

Check Numbers 298348 to 298655

Total: \$1,520,710.96

Approval of Minutes

Mrs. Cullers noted one change was needed during the County Administrator's report in the minutes; the proposed date of the Town/County Advance should be February 5, 2022, not February 6, 2022.

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

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

Consent Agenda

1. Refund Request for Central Telephone Company of Virginia (dba CenturyLink) – Sherry Sours
2. Designation of Representatives to the Blue Ridge Committee for Shenandoah Park Relations – Ed Daley
3. Adoption of Deputy Finance Director Amended Job Description – Matt Robertson
4. Contract Renewal with B&B Excavating, LLC for Snow Removal Services – Caitlin Jordan/Mike Berry
5. Contract Renewal with H B Henry Construction, LLC for Snow Removal Services – Caitlin Jordan/Mike Berry
6. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-09-01, Terra Site Constructors, LLC for a Contractor's Storage Yard Located at 6986 Winchester Road and Identified on Tax Map 4, as Lot 43B – Joe Petty
7. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-09-02, Gordon Lee Birkhimer for a Short-Term Tourist Rental Located at 52 Forest View Drive and Identified on Tax Map 18G, Section 2, as Lot 15 – Matt Wendling
8. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-10-03, Michael and Leslie Hofbauer for a Short-Term Tourist Rental Located at 223 Chapel View Drive and Identified on Tax Map 21N, as Lot 4 – Matt Wendling

9. Authorization to Advertise for Public Hearing – Z2021-10-01, Lorne Cooper – Ordinance to Amend and Re-Ordain Warren County Code Sections 180-8 (Definitions) and 180-22 (Residential – 1 (R-1) District) Regarding the Definition of and Allowance for Gunsmithing Services in the Residential One (R-1) Zoning District and to Add and Ordain Section 180-47.1 of the Warren County Code to Add Supplementary Regulations for Gunsmithing Services – Joe Petty
10. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-10-05, Lorne Cooper for Gunsmithing Services in Conjunction with a Single-Family Residential Dwelling Unit Located at 49 Wild Cherry Way and Identified on Tax Map 24A, Section 2, Block 7, as Lot 306 – Joe Petty
11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2021-10-06, Michael Blevins for a Short-Term Tourist Rental Located at 267 Trillium Trail Road and Identified on Tax Map 24B, Section 3, Block 13, as Lot 481 – Matt Wendling
12. Coyote Bounty – Donald Bowers (2) – \$50.00 Each – Animal Control

On a motion by Mr. Fox, 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 Adopt a Resolution Approving a Support Agreement with the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia Relating to a Loan Refinancing – Jason Ham/Ed Daley

Dr. Daley reported this proposal is from First Bank and Trust to take the Economic Development Authority's (EDA's) loan at First Bank – Strasburg and consolidate it with the line of credit at First Bank and Trust, for which the bank has no collateral, as well as the ITFederal loan. All three would be combined in order for First Bank and Trust to collateralize the line of credit. The EDA made a seven-year line of credit with First Bank and Trust for the forty-year loan made with Curt Tran regarding the ITFederal project. Similarly, First Bank and Trust needs an explanation for the bank examiners as to why it entered into a \$10 million loan without collateral.

Mrs. Oates recapped the proposal and current situation and further pointed out that the Front Royal Town Council approved this ITFederal loan, but now County residents have to pay the price for decisions in which they were not involved.

Dr. Daley recommended the Board go into closed session to discuss the benefits of adopting this resolution and entering into the Support Agreement, but Mr. Carter asked for the Parks and Recreation Commission appointment be considered prior to entering into the closed session.

Citizen Appointment to the Parks and Recreation Commission

On a motion by Mr. Carter, seconded by Mr. Fox, and by the following vote, the Board of Supervisors appointed Jim Wells to the Warren County Parks and Recreation Commission to fill an unexpired two-year term ending February 28, 2023:

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

Closed Session – Section 2.2-3711(A)(8) of the Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors 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 for the provision of legal advice pertaining to matters involving the Economic Development Authority and that the agenda be amended to allow for such closed session:

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

On a motion by Mrs. Oates, seconded by Mr. Mabe, 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 Section 2.2-3711(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

(Continued) Request to Adopt a Resolution Approving a Support Agreement with the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia Relating to a Loan Refinancing – Jason Ham/Ed Daley

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted the proposed resolution approving a Support Agreement with First Bank and Trust for the Front Royal-Warren County Economic Development Authority (EDA) as outlined:

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY, VIRGINIA
APPROVING A SUPPORT AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA
RELATING TO A LOAN REFINANCING

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 a Support Agreement to undertake a non-binding obligation to appropriate moneys to the Authority in connection with the loan refinancing described in that certain Term Sheet dated August 19, 2021 (the "Term Sheet") from First Bank and Trust Company (the "Lender"), as approved by the Authority at its August 27, 2021 meeting and reaffirmed at its meeting on September 24, 2021 (the "Loan Refinancing"), and relating to monthly debt service payments of the Authority due to the Lender and allocable to the former Strasburg Loans (as defined in the Term Sheet).

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 Loan Refinancing, 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 Loan Refinancing.
4. This resolution shall take effect immediately.

Adjournment

Mrs. Cullers adjourned the meeting at 8:24 PM.