

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on April 19, 2022 at 6:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Victoria L. Cook (Fork District); Jerome K. Butler (Happy Creek District); and Walter J. Mabe (Shenandoah 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; Michael Coffelt, Sanitary District Manager; Caitlin Jordan, Senior Assistant County Attorney; Chase Lenz, Zoning Administrator; Jon Martz, Director of Social Services; Joe Petty, Director of Economic Development/Interim Planning Director; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; Matt Wendling, Deputy Finance Director; Emily M. Ciarrocchi, Deputy Clerk of the Board; and Roger Bianchini, Royal Examiner

Closed Session – 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)(5) of the Virginia Freedom of Information Act for discussion concerning a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, such business or industry proposed to be located in the Shenandoah Magisterial District located both within and outside the limits of the Town of Front Royal.

The Board also entered into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) for consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice regarding the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the "EDA"), the Town of Front Royal, the *EDA vs. Jennifer McDonald, et al.*, the *Town of Front Royal vs. the EDA, et al.*, the *EDA vs. the Town of Front Royal*, other potential claims and litigation relating to other possible liabilities of the EDA, the recovery of EDA funds and assets, and the outstanding indebtedness of the EDA.

Finally, the Board entered into a closed meeting under the provisions of Section 2.2-3711(A)(8) for consultation with legal counsel for the provision of legal advice regarding the Shenandoah Farms Sanitary District:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, 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 Sections 2.2-3711(A)(5), (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:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

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

Adoption of Agenda

Mrs. Oates requested the addition of item K-1 (Consideration of Termination of Shenandoah Farms Sanitary District Management Agreement), and Dr. Daley requested the addition of item K-2 (Sanitary District Policy Guidance for Tree/Brush Removal and Wood Disposal).

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

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Public Comment Period (60 Minute Time Limit)

Melissa Chappell-White, 140 Dogwood Farm Road, requested the Board postpone item H-3 (Cancellation of Old Oak Lane, Phases IV and V, Rural Addition Revenue Sharing Projects for Shenandoah Farms Sanitary District). These projects have been in the pipeline for many years, and it does not seem wise or prudent to rush into cancelling these projects. She would like to see both Phases IV and V completed and accepted by the Virginia Department of Transportation for State maintenance.

Katie Peterson introduced herself as the representative for Warren County's first ever summer swim team, the Sunfish. She thanked the Board and the Parks and Recreation Department for their support in providing this opportunity and was proud to report that ninety (90) swimmers have signed up for summer 2022 (www.warrencountysunfish.com).

Lynda McDonough, 1205 High Top Road, read a prepared statement regarding a proposed 28th Amendment to the Constitution of the United States. This Amendment would not allow Congress to make any laws that apply to American citizens that do not apply equally to the members of Congress and would preclude them from making any laws that apply to themselves but do apply to all U.S. citizens. Members of Congress would no longer exempt themselves from prosecution for sexual harassment or from the healthcare reform they pass for the rest of the country. They would not retire at full pay after just one term, and their children would be required to pay back their college loans. The proposed Amendment would move the congressional retirement fund into the Social Security system, and legislators could no longer vote their own pay raises. Instead, they would receive 3% annually or the Consumer Price Index (CPI), whichever is lower.

Jon Martz, Director of Social Services, invited the Board members to the Department's Child Abuse Prevention Jubilee this Saturday, April 23rd from 11:00 AM to 3:00 PM at the Health and Human Services Complex track area with special guests, Bikers Against Child Abuse. This event is free to the public, and he hoped the Board members would attend.

There were no further presentations from the public.

Reports – Board Members, County Administrator, Interim County Attorney

Mr. Butler had nothing to report.

Mrs. Cook had nothing to report.

Mr. Mabe reported the following:

- Attended a meeting at the Department of Social Services on April 18th where coverages and benefits were discussed with regard to the COVID-19 pandemic and the eventuality that the health emergency declaration will end

Mrs. Oates reported the following:

- There are several events going on this weekend: the Jubilee on April 23rd as well as Earth Day downtown from 10:00 AM – 3:00 PM at the Gazebo and BioBlitz on Sunday, April 24th at Shenandoah River State Park beginning at 9:00 AM; she encouraged County citizens to get out and be good ambassadors of the community

Mrs. Cullers reported the following:

- Attended a Department of Environmental Quality meeting at Samuels Public Library on April 11th
- Invited everyone to attend the annual Browntown Community Center Redbud Festival this Saturday, April 23rd
- Attended an investment celebration in Frederick County on April 12th where Senator Mark Warner delivered \$3.6 million in Federal dollars to Frederick Water to support the development of the new Henry F. Sliwinski Water Treatment Plant
- Thursday, April 21st is the first Valor Awards ceremony hosted by the Chamber of Commerce to honor local law enforcement, fire and rescue, and emergency medical services (EMS) personnel

Dr. Daley reported the following:

- Congratulated Jane Meadows and Kayla Darr as this Friday, April 22nd, County employees will receive their first bi-weekly check; he extended his appreciation to the Finance Department and the IT Department in helping bring about this transition

- Revenue Updates for March

Year-to-Date	FY 2022	FY 2021	Difference
Sales Tax	\$4,694,893	\$3,398,681	\$1,296,212 (38.14%)
Meals Tax	\$817,484	\$665,222	\$152,262 (22.89%)
Lodging Tax	\$242,887	\$194,537	\$48,350 (24.85%)
Business License Tax	\$1,223,541	\$1,062,681	\$160,860 (15.14%)

- Building Inspections Statistics for March

New Home Starts			
County	Town	Total	March 2021
16	1	17	15

Permits Issued		
2022	2021	Difference
192	176	16 (8.33%)

Inspections Completed		
2022	2021	Difference
500	1,114	-614 (-122.8%)

- Parks and Recreation

- Park Facility Projects:

- Mowing Cycle 2022: Park staff began inspecting, mowing and trimming for the 2022 season on April 11th.
- Community Shelter Project Update: Park and Public Works staff completed the shelter project. Maintenance Supervisor Brad Kresge is obtaining quotes for electrical service, lights, etc. The Avtex Retiree Club has consented to donate an additional \$5,000. Director Dan Lenz obtained quotes for 12 picnic tables.

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

- 153 SNAP Applications
- 116 Medicaid Applications
- 21 TANF Applications
- 14 Child Care Applications
- 1,221 Lobby Visits
- 1,522 Phone Calls

On the Services side, for the month of March, DSS received:

- 63 CPS referrals
- 33 APS referrals

Services rendered:

- Through the Community Development Block Grant Motel voucher program, the Department spent \$2,761.57 in March
- Used \$950.12 from the Ministerial Fund

- Took in \$6,647.05 to the Ministerial Fund
- Provided food to 56 individuals
- 98 EBT cards given

Job development:

- New client/referrals in March – 7
- Total clients to-date – 66
- Jobs offered/accepted – 2

Upcoming events:

- April is Child Abuse Awareness Month, and the Department will once again host its Child Abuse Prevention Jubilee on April 23rd at the Health and Human Services Complex track
- Spring Job Fair will be on May 12th in the Health and Human Services Complex gymnasium; there are currently 22 confirmed vendors

- Department of Fire and Rescue Services

- Staff is currently working with volunteer representation in evaluating the Volunteer Incentive Program and working to identify any changes needed, appropriate tracking mechanisms. County Code and WCFR Policy needs revisited as last update was completed in 1997.
- WCFR recently operated on a missing persons event alongside the WCSO and multiple agencies. The volunteer membership of South Warren worked to establish a rehabilitation area for search and rescue personnel and provided refreshments.
- WCFR Programs Managers continue to compile a grants list for potential application for the upcoming fiscal year.
- The Chamber of Commerce Valor Awards Program will honor multiple Fire and Rescue career and volunteer responders; special thanks and congratulations to all award recipients.

- Planning and Development

- Tourism Committee – The Joint Tourism Committee continues to meet bi-weekly. The Town and County have now both approved the revised Memorandum of Agreement. Work will progress towards creation of the 501c6 organization as the Destination Marketing Organization.
- Development Review Committee – The Development Review Committee met on March 23, 2022 and discussed the following projects:
 - Planning Commission/Board of Supervisors Applications
 - Cluster Housing Development (47 lots) – Reliance Road
 - Short-Term Tourist Rentals
 - Update on ongoing projects
 - Comprehensive Plan Review Underway
 - Sheetz Site Plan Review (Linden)

- Route 340/522 Corridor Projects
 - Proposed Warehouse Facility – Corner of Baugh Drive and Fairground Road
 - Enclosed Storage Facilities – Winchester Road (2)
 - Equus Warehouse Facility – Winchester Road
 - McKay Springs – Corner of Winchester Road and Reliance Road
 - Interchange Phase II – Toray Drive
 - Terra Site Constructors – 6986 Winchester Road

The Committee will meet again on April 27, 2022, at 10:00 AM.

- Commercial/Industrial Projects – Work continues on the following projects:
 - Interchange warehouse (340/522 and Toray Drive) has the foundation in place and now starting the foundation walls. The water service from the town has finally been approved and work is ongoing to connect the south side to the north side of Toray Drive.
 - Equus Warehouse facility – The site work continues, and the main structure is completed. The work now is focused on sealing the building up to start on the interior work.
 - Storage facility on 340/522 has started work and activity will soon increase at the site.
 - New trucking facility on Winners Court is continuing with site work.

Public Hearing – SV2022-02-01, Robert and Crystal Dolan Variance Request for Warren County Code Section 155-3(B)(1)(b)[2] to Allow the Voluntary Transfer of a Proposed Subdivided Lot to an Immediate Family Member – Joe Petty

Joe Petty, Director of Economic Development/Interim Planning Director, reported Warren County Code Section 155-3(B)(1)(b)[2] requires that the property owner requesting a subdivision shall have held fee simple title to the property to be subdivided for a period of five years prior to the filing of the family subdivision application with the County. At this time, the Dolans have held the property since June 3, 2019 (approximately 2 years, 8 months). The Dolans would like to convey the proposed lot to their sister and her husband to be closer to family. If the variance is approved, they will then request a variance from the Board of Zoning Appeals for a reduction of lot size from the required 10 acre minimum.

If the Board were to approve this request, a condition may be that the lot shall not be voluntarily transferred to a non-immediate family member for at least seven years after approval of the family subdivision plat. This would be in lieu of the required five years and make the timeframe approximately ten years, and concurrent with the ordinance requirement of five years to subdivide and five years to transfer outside the family. In order to grant a variance of the Subdivision Ordinance, the applicants need to show that strict compliance with the requirements of the Ordinance would cause substantial injustice or hardship.

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

1. The lot shall not be voluntarily transferred to a non-immediate family member for seven years after approval of the family subdivision plat. This would be in lieu of the required five years and make the timeframe approximately ten years.

Robert Dolan introduced himself as the applicant, along with his wife, and said there would be no financial gain from this transfer. His brother and sister moved to Warren County to work with him, and they sold their houses under the impression that he would be able to subdivide his property and provide them with land. He did not think it would be a problem considering he owns 125 acres and has owned one of the tracts for almost seven years.

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 Mrs. Cook, and by the following vote, the Board of Supervisors, finding that the variance request meets the criteria required by Section 155-18 of the Warren County Code, approved the request of Robert and Crystal Dolan for a variance to Section 155-3(B)(1)(b)[2] of the Subdivision Ordinance with the condition as recommended by the Planning Commission and staff and listed below:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

1. The lot shall not be voluntarily transferred to a non-immediate family member for seven years after approval of the family subdivision plat. This would be in lieu of the required five years and make the timeframe approximately ten years.

Public Hearing – Conditional Use Permit 2022-02-01, Emilia Simeonova and Sergei Kulaev for a Short-Term Tourist Rental Located at 5462 Browntown Road and Identified on Tax Map 28, as Lot 76 – Matt Wendling

Matt Wendling, Deputy Planning Director, reported the applicants purchased the property in December 2020 and have lived in it part-time. They would like to offset costs of the mortgage, maintenance, and insurance as a second home. In their statement of justification, the applicants state they are requesting to use the property as a short-term tourist rental but will reside at the property part-time during the year. They have contracted a property manager from Winchester to be available on an emergency basis and a local trash collection company for garbage removal. This property backs up to the Shenandoah National Park and is not located in a subdivision with a POA/HOA.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

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 Mrs. Cook, and by the following vote, the Board of Supervisors approved the conditional use permit request of Emilia Simeonova and Sergei Kulaev for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, 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 (6) as determined according to the Health Department conditional/operational permit which needs to be issued 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.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Public Hearing – Conditional Use Permit 2022-02-02, Jerry Lang, Jr., for a Short-Term Tourist Rental Located at 468 Lands Run Road and Identified on Tax Map 45, as Lot 4 – Matt Wendling

Mr. Wendling reported the applicant was willed this property in 2020 by the late Robert W. Colton, and Mr. Lang has requested to be granted this permit to operate a short-term tourist rental in order to supplement his income to pay taxes and insurance on the property. He would like to rent it to mature adults and families in order to provide transient lodging to people who want to visit Warren County and the Village of Browntown. He hopes that this will contribute to the commerce of the local area and showcase the County's many tourist destinations and natural resource amenities.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

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

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

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, 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 (4) 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.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Public Hearing – Conditional Use Permit 2022-02-03, Nicholas Webster and Morgan McCabe for a Short-Term Tourist Rental Located at 203 Mossy Rock Way and Identified on Tax Map 24B, Section 1, Block 21, as Lot 625 – Matt Wendling

Mr. Wendling reported the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in March 2021. According to the applicants the home had been unoccupied for a number of years, and they have in the past year spent quite a bit of time and funds in making improvements to the dwelling. They state they are only able to utilize the property for their own use six months out of the year and would like to rent it short-term to recoup their costs for improvements, general maintenance, taxes, and insurance. They currently live in Washington, D.C. and have contracted Evolve and Generations Clean, local property management and cleaning companies respectively, to manage the property.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

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 Mrs. Cook, and by the following vote, the Board of Supervisors approved the conditional use permit request of Nicholas Webster and Morgan McCabe for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, 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 (4) 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.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Public Hearing – Conditional Use Permit 2022-02-04, Pratik Patel for a Short-Term Tourist Rental Located at 368 Freeze Road and Identified on Tax Map 23C, Section 2, Block 2, as Lot 193 – Matt Wendling

Mr. Wendling reported the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in November 2021. Mr. Patel states he will be primarily using the property as a vacation home for his family, extended family, and friends for weekend visits. He would like the flexibility to rent short-term, which will also help him with the ability to maintain the property, and with the cost of insurance and taxes. He plans to retain a local handyman and property manager to be available for any emergencies.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

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 Mrs. Cook, and by the following vote, the Board of Supervisors approved the conditional use permit request of Pratik Patel for a Short-Term Tourist Rental with the conditions as recommended by the Planning Commission and staff and listed below:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, 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 (4) as determined according to the Health Department conditional/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.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.

Public Hearing – Conditional Use Permit 2022-02-05, Michael and Judith Albarelli for a Short-Term Tourist Rental Located at 740 Broad Run Road and Identified on Tax Map 44, as Lot 38D – Chase Lenz

Chase Lenz, Zoning Administrator, reported the applicants are requesting a conditional use permit for a short-term tourist rental for a restored 18th-century log cabin they purchased in 2018. The dwelling will be available seasonally from April to November for short-term rentals for individuals visiting the Warren County area. The owners would like to use the property to serve visitors of the Shenandoah Valley as a quiet respite for hiking, canoeing, cycling, or other activities. The applicants currently live on Broad Run Road and will be managing the property personally. They have been operating a short-term tourist rental on a separate property on Broad Run Road since it was approved in 2019.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

Mrs. Cullers opened the public hearing.

Gary Kushner, 1106 Fetchett Road, Bentonville, said his residence adjoins this property. He believes the property owners are mature and responsible and trusts they will be respectful of their neighbors. He voiced his support of this application and urged the Board to approve the request.

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

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

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, 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.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the State road shall be prohibited.

Approval of Accounts

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the list of April 2022 accounts as presented:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Appropriations and Transfers

On a motion by Mrs. Oates, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the additional appropriations and transfers as presented and shown below for April 2022:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

APPROPRIATIONS

Elections	Reimbursement to Warren County from the Town of Front Royal for their portion of the expenses from the November 2, 2021 General and Special Elections	\$14,458
Sheriff	To appropriate VACORP checks to pay for vehicle repairs and to replace a vehicle that was totaled	\$34,920
Sheriff	To appropriate extradition reimbursements from travel expenses incurred to pick up fugitives	\$726
Sheriff	To appropriate funds from a grant to compensate the salary of a School Resource Officer	\$18,529
Refuse Disposal	To appropriate funds from Special Projects to pay off the remaining balance for a Loader Loan	\$240,000
Board of Supervisors	To appropriate funds from Special Projects for the appraisal of the Jackson Street property	\$2,500

TRANSFERS

Juvenile & Domestic Court	To transfer funds from Furniture and Miscellaneous to Repair, Maintenance Equipment and Telephone to Balance their Budget	\$2,200
Probation	To transfer funds from Mobile Phone/Pager to Office Supplies due to no longer utilizing the Mobile Phone/Pager program	\$720

Approval of Minutes

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the minutes of its following meetings:

- Special Meeting of February 22, 2022
- Regular Meeting of March 1, 2022
- Regular Meeting of March 15, 2022
- Special Meeting of March 22, 2022

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Consent Agenda

1. Request to Close Warren County Offices and Resolution to Change a Regular Meeting Date of the Warren County Board of Supervisors – Ed Daley
2. Memorandum of Understanding Regarding Drug Court Funding – Ed Daley/Beth Reavis
3. Removed for further discussion
4. Broadband Fiscal Agency Agreement with Northern Shenandoah Valley Regional Commission – Ed Daley
5. Contract Renewal with Middle Department Inspection Agency, Inc. for Electrical Inspections – Alisa Scott/David Beahm
6. Authorization to Advertise for Public Hearing – Sale of County-Owned Property Located at 30 E Jackson Street – Alisa Scott
7. Removed for further discussion
8. Removed for further discussion

Mrs. Oates requested the removal of items 3 and 7 for further discussion, and Mrs. Cullers requested the removal of item 8 as well.

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

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

RESOLUTION CHANGING THE REGULAR MEETING DATE OF THE BOARD OF SUPERVISORS OF WARREN COUNTY, VIRGINIA

Warren County, Virginia hereby changes the date of the June 21, 2022 regular Board of Supervisors meeting to Tuesday, June 28, 2022, at 7:00 PM in the Board Meeting Room of the Warren County Government Center, 220 North Commerce Avenue, Front Royal, Virginia.

Cancellation of Old Oak Lane, Phases IV and V, Rural Addition Revenue Sharing Projects for Shenandoah Farms Sanitary District – Mike Berry

Mrs. Oates requested the removal of this item because she believes it would be premature to cancel these projects through VDOT. She would like to have more complete information before a determination is made.

Mrs. Oates made a motion to table consideration of this request pending additional information, which was seconded by Mr. Mabe for further discussion.

Mike Berry, Public Works Director, said the discussion of cancelling these projects through VDOT began before receiving the cancellation request from the Property Owners of Shenandoah Farms (POSF) Board. He then delivered a presentation to the Board on the history of these projects and the options for the future. Most recently, the projects were included in a resolution adopted by the Board on October 17, 2017 in support of the FY 2018-2020 Revenue Sharing Program. When this resolution was adopted, the estimated cost for Phase IV was \$998,250 for 0.44 mile, and the cost for Phase V was estimated at \$1,077,903 for 0.58 mile. These cost estimates included improving the existing road to minimum VDOT standards.

However, due to inflation, supply chain concerns, and various other factors, the estimate for Phase IV has increased by \$598,950 to \$1,597,200, and the estimate for Phase V has increased by \$723,926 to \$1,801,829. Despite these increases, VDOT has not agreed to increase its 50% share of these Revenue Sharing projects. Should the projects be cancelled through VDOT and completed internally, Mr. Berry presented the following options:

- Option 1 – Plant Mix asphalt \$142,240 per ½ mile (\$285,880 per mile)
 - 3” of BM.250A (Base) & 1.5” of SM9.5A (Surface)
- Option 2 – Prime Coat, Double Modified \$39,500 per ½ mile (\$79,000 per mile).
 - Prime coat consists of 1 coat of RC250 oil with #68 & #78 stone followed by CRS2L oil and double coat of #8 aggregate
- SUBGRADE (NEEDED FOR BOTH OPTIONS)
 - Subgrade Preparation consists of rough grading, and a VDOT 21B stone application of 6 inches to establish grade and crown for adequate drainage flow. \$69,391 per ½ mile (\$137,782 per mile)

There was additional discussion regarding future maintenance of Old Oak Lane and the desire to upgrade the road to minimum VDOT standards for acceptance into the State road system for future maintenance.

The motion to table this item passed by the following vote:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Authorization to Advertise for Public Hearings – Ordinance to Amend and Re-Ordain Chapter 38 (Procurement) of the Warren County Code and Ordinance to Add and Ordain Chapter 39, Warren County Guidelines Regarding Requests Made Pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002 – Alisa Scott

On a motion by Mrs. Cullers, seconded by Mr. Mabe, and by the following vote, the Board tabled these items to a work session for further discussion:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Adoption of Certain Tax Rates for Calendar Year 2022 – Matt Robertson

Matt Robertson, Finance Director, reported due to the Commonwealth of Virginia failing to meet the standard deadline for budget adoption, the County wishes to adopt calendar year 2022 tax rates (except for the Personal Property tax rate) prior to approving the FY 2022-2023 budget. There are no changes in the calendar year 2022 County-wide tax rates up for approval compared to the rates from calendar year 2021.

Mr. Robertson said the Finance Department, Commissioner of the Revenue's Office, and Treasurer's Office are still doing calculations on valuations in order to determine what relief can be provided to taxpayers. With the adoption of the real estate tax rate for 2022, the Commissioner's and Treasurer's Offices can proceed with first-half billing while the County waits for the State to make its decision.

Proposed changes in the per-lot fees for the Sanitary Districts, as recommended by the HOAs/POAs/Advisory Boards/Committees of the respective districts, are as follows:

High Knob Sanitary District

From: \$423 per unimproved lot; \$684 per improved lot
To: \$478 per unimproved lot; \$773 per improved lot

Lake Front Royal Sanitary District

From: \$345 per lot plus \$0.05 per \$100 of assessed value on improvements
To: \$410 per lot plus \$0.05 per \$100 of assessed value on improvements

Skyland Estates Sanitary District

From: \$0.35 per \$100 of assessed value on improvements
To: \$0.37 per \$100 of assessed value on improvements

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors adopted the Proposed Calendar Year 2022 tax rates as advertised except for the Tax Year 2022 Personal Property Tax Rate:

Butler, Aye; Oates, Aye; Cullers, Aye; Cook, Aye; Mabe, Aye

Consideration of the Termination of the Shenandoah Farms Sanitary District Management Agreement

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors accepted the notice of termination of the Shenandoah Farms Subdivision Sanitary District Management Agreement provided by the Property Owners of Shenandoah Farms, Inc., and further approved the termination of such Agreement to be effective June 30, 2022:

Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

Sanitary District Policy Guidance for Tree/Brush Removal and Wood Disposal – Mike Berry

Mr. Berry reported there had been concerns raised about residents in a Sanitary District receiving free wood from trees that the Public Works Department had felled. Staff would like to establish a simple policy that would allow the community to know what the County does for disposal of brush and trees in sanitary districts.

Mrs. Cullers asked how this policy would be distributed so citizens would be made aware of its existence, and Mr. Berry replied the policy could be placed on the County website and sent to the County-maintained sanitary districts for further distribution.

Mrs. Oates believes this policy, and the creation of a wood request form on the County website, is overkill and creates unnecessary additional work for County employees. She would like to see the Property Owners Associations (POAs) of the districts know there is wood in the common area and let them handle the distribution of information. Mrs. Cullers noted the Board was considering adopting this policy because the concern came from someone who did not receive the notification from their POA.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the proposed Sanitary District policy providing guidance for tree and brush removal in the right-of-way and wood disposal as presented:

Butler, Aye; Oates, No; Cullers, Aye; Cook, Aye; Mabe, Aye

Adjournment

Mrs. Cullers adjourned the meeting at 9:17 PM.