

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on May 3, 2022 at 9:00 AM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Vicky L. Cook (Fork District); Walter J. Mabe (Shenandoah District); also present Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Jason J. Ham, Interim County Attorney; Mike Berry, Public Works Director; Mark Butler, Sheriff; Michael Coffelt, Sanitary District Manager; Todd Jones, Director of Technology; Caitlin Jordan, Senior Assistant County Attorney; Jane Meadows, Human Resources Director; Alisa Scott, Deputy Finance Director; Sherry Sours, Commissioner of the Revenue; Jamie Spiker, Treasurer; Matt Wendling, Deputy Planning Director; and Emily Ciarrocchi, Deputy Clerk of the Board

Absent: Jerome K. Butler (Happy Creek District)

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

Adoption of Agenda – Additions or Deletions

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

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

Public Comment Period (60 Minute Time Limit)

Melissa Chappell-White, 140 Dogwood Farm Road, recapped the email she sent to the Board of Supervisors members on May 2nd regarding the petition she has filed with the Warren County General District Court alleging breaches of the Virginia Freedom of Information Act (FOIA) by the Property Owners of Shenandoah Farms, Inc. (POSF). The petition is scheduled to be heard on May 4th at 9:00 AM.

There were no further presentations from the public.

FY 2020-2021 Audit Presentation – Michael Lupton

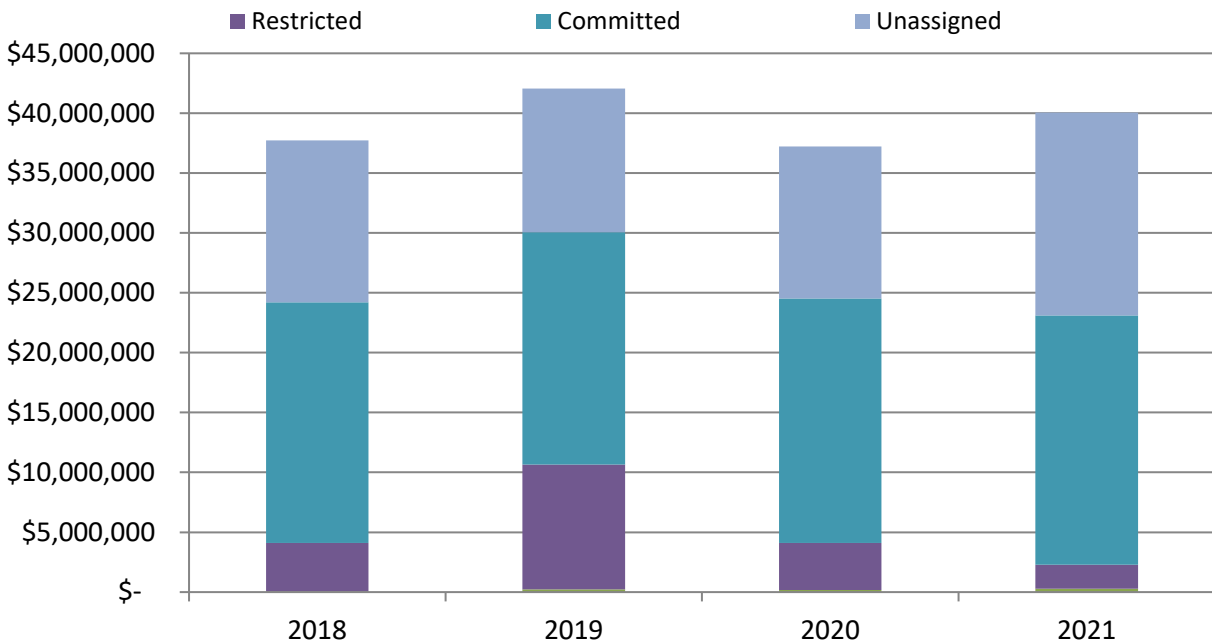
Michael Lupton with Robinson, Farmer, Cox Associates delivered a presentation to the Board overviewing the draft FY 2020-2021 audit for Warren County and highlighting the following points:

Prepared on the modified accrual basis (same basis as County budget)

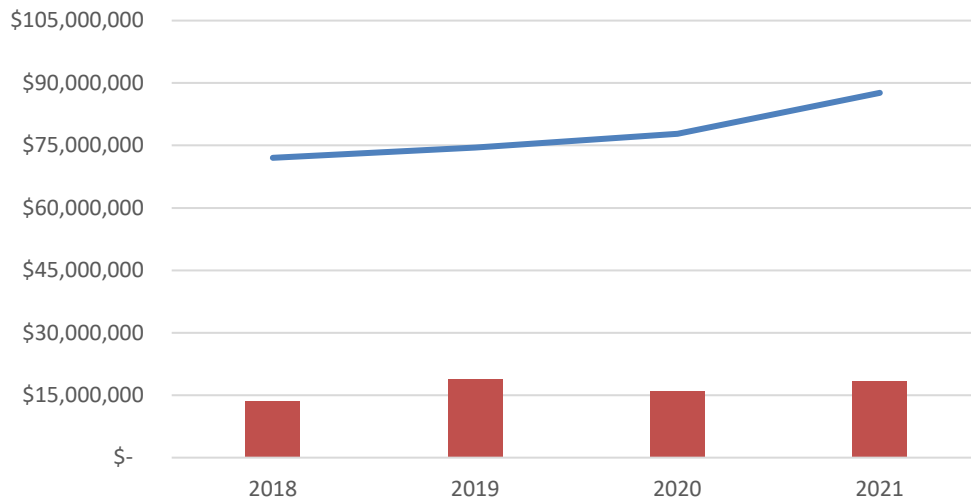
- Combined ending fund balances for governmental funds of \$40.04 million
- General Fund – Fund balance total was \$18.49 million
- Unassigned fund balance was \$16.93 million

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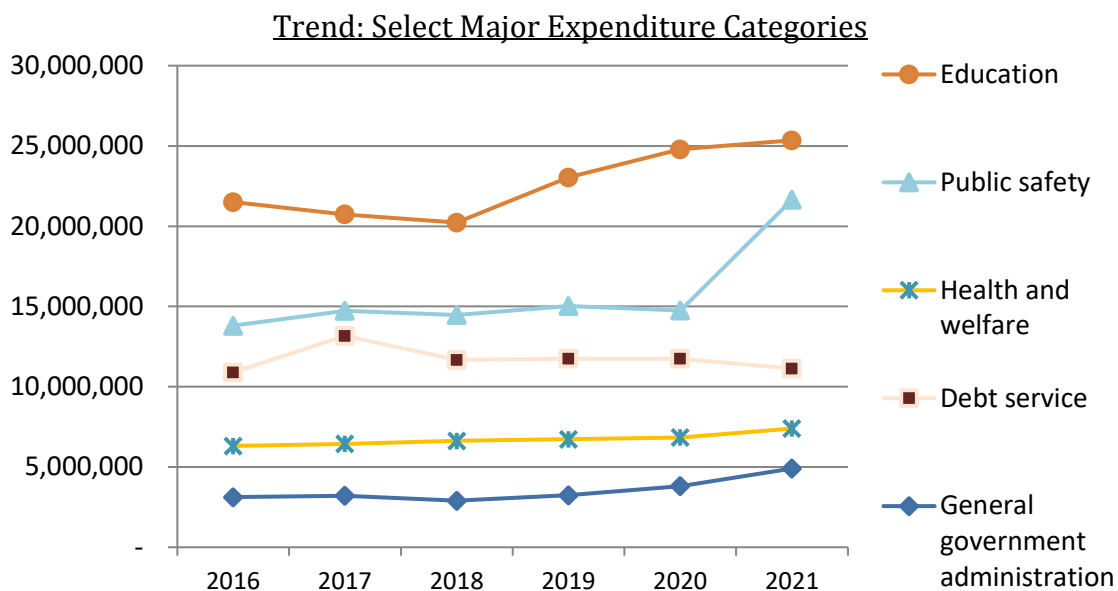
Fund Balance by Type



General Fund Expenditures (excluding capital projects) vs. Fund Balance



- General Fund – Fund Balance as percentage of Expenditures (excluding capital projects):
 - FY 2021 - 21.10%
 - FY 2020 - 20.45%
 - FY 2019 - 25.39%
 - FY 2018 - 18.82%
- General Fund Revenues – current and 3 prior years
 - FY 2021 - \$92,723,532
 - FY 2020 - \$81,639,396
 - FY 2019 - \$77,923,710
 - FY 2018 - \$74,027,820



The consensus of the Board was to place the approval of the FY 2020-2021 audit on the May 17, 2022 agenda, pending the presentation of the final audit, not a draft.

Report on Health and Dental Insurance Rates – Jane Meadows

Jane Meadows, Human Resources Director, delivered a presentation to the Board on the County's health and dental insurance renewal for 2022-2023 and highlighted the following points:

- Current Coverages Available:
 - Health – \$250 and \$1,000 Premium Plans
 - Dental – High and Low Plans
 - Vision – One Plan

- Factors Impacting Renewal Rates, 7/1/22 – 6/30/23:
 - Lack of Experience Rating
 - Experience based on 7/1/21 – 11/30/21 period
 - High dollar claims (over \$150,000)
 - High dollar claims (5) increase PPM
 - Age/Sex Adjustment (12% higher than average)
 - Higher the group age, the higher the premium
- Current United Healthcare Rate Renewal:
 - Reduction renewal to 13.5% (from 15.8%)
 - Offer a Premium Holiday in the amount of \$75,000 to be paid in June (worth approximately 2.3%)
 - Final renewal rate increase will be approximately 11%
 - Staff has budgeted for the initial 15.8% renewal notice, so no additional funding is required to cover the rate increase

Report – Virginia Department of Transportation – Ed Carter

Ed Carter, Residency Administrator with the Virginia Department of Transportation (VDOT), provided the following monthly report to the Board:

Maintenance:

- Mobilized and responded for (hopefully) the last snow event of the season
- Conducted grading and stone application operations on various stabilized roads throughout the County and will continue this month
- Repaired soft spots and prep patching for upcoming resurfacing work on various routes and will continue this month
- Completed sweeping operations on bridges and curb/gutter
- Installed new pipes and flushed existing pipes on various routes
- Will begin first round of mowing on primaries next month

Board Issues:

- New traffic pattern striping at Route 340 and Rivermont Road is scheduled to be completed within the next sixty (60) days; will have a new layout for the Board within the next thirty (30) days

Reports – Board Members, County Administrator, Interim County Attorney

Mrs. Cook reported the following:

- Attended the first annual Valor Awards ceremony on April 21st

Mr. Mabe reported the following:

- This week is Teacher Appreciation Week, and the month of May is Military Appreciation Month
- Samuels Public Library will be holding a Volunteer Fair on Saturday, May 14th

Mrs. Oates reported the following:

- Also attended the Valor Awards ceremony on April 21st
- Attended the Humane Society of Warren County's fundraising event, Barks and Bags, on April 22nd
- Attended the Town's Earth Day and the Department of Social Services' Child Abuse Prevention Jubilee events
- The Visitors Center downtown is getting a makeover, and she encouraged citizens to check it out

Mrs. Cullers reported the following:

- Also attended the Valor Awards ceremony on April 21st and thanked Niki Foster and the Chamber of Commerce for putting on the event
- Also attended the Earth Day and Child Abuse Prevention Jubilee events
- Attended Page County's Future Farmers of America (FFA) dinner on April 23rd
- The week from May 6th through 12th is National Nurses Week

Dr. Daley reported the following:

- Invited Deputy County Administrator Taryn Logan to provide a report; Mrs. Logan announced the appointment of Matt Wendling as Planning Director, effective May 1st, and provided an overview of his service to Warren County over the past 17 years. She also noted Chase Lenz's designation as Zoning Administrator on this agenda and said the Planning Department will be advertising for a part-time Zoning Officer, who will act as more of an on-site inspector for properties with zoning violations.
- Dr. Daley had no new information to report from the State regarding its budget figures and recommended the Board call a special meeting on May 10th, in addition to the regularly scheduled work session, to move forward with certain portions of the proposed FY 2022-2023 budget.
- The Regional Broadband Agreement has been approved by all participating jurisdictions, and the Front Royal Town Council approved the proposed Drug Court funding agreement.

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:

- Regular Meeting of April 5, 2022
- Special Meeting of April 12, 2022
- Regular Meeting of April 19, 2022

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

Consent Agenda

1. Designation of Chase Lenz as Zoning Administrator – Joe Petty
2. Removed for further discussion
3. Reclassification of Administrative Assistant Positions – Jane Meadows
4. Request of D.R. Horton for Release of Phase 3 Bond for Blue Ridge Shadows Subdivision – Taryn Logan
5. Removed for further discussion
6. Authorization to Advertise for Public Hearing – Z2022-03-01, Rivermont Baptist Church – Ordinance to Amend and Re-Ordain Sections 180-8 and 180-21 of the Warren County Code re: Day- or Child-Care Center (Nursery) – Matt Wendling
7. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-01, Rivermont Baptist Church for a Day- or Child-Care Center/Nursery – Matt Wendling
8. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-02, Solomon Stavis for a Short-Term Tourist Rental – Matt Wendling
9. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-03, Jared Smith for a Short-Term Tourist Rental – Chase Lenz
10. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-04, James and Jeonghe Lal for a Short-Term Tourist Rental – Matt Wendling
11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-05, Rocky Quach for a Short-Term Tourist Rental – Chase Lenz
12. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-03-07, Richard Durkee, II for Private Use Camping – Matt Wendling

Mr. Mabe requested the removal of item 5 for further discussion, and Mrs. Cook requested the removal of item 2.

On a motion by Mrs. Cullers, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the Consent Agenda as amended, noting the correction made to condition #2 on the cover sheet for item 10 changing the occupancy limit from 6 to 4:

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

Resolutions of Support to Name the Bridges over the North and South Forks of the Shenandoah River – Ed Daley

Mr. Mabe asked if these resolutions would include the third bridge leading into town as well, the one crossing over Crooked Run, and Dr. Daley responded the resolutions are only for the two major bridges crossing the North and South Forks of the Shenandoah River. The proposed names are a combination of the original names approved by the Board in 2016 and the proposed names approved by the Board in 2021.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors adopted the proposed resolutions supporting the naming of the bridge over the North Fork of the Shenandoah River to the “General Daniel Morgan Veterans’ Memorial Bridge” and the bridge over the South Fork of the Shenandoah River to the “Major General Dr. Joseph Warren Veterans’ Memorial Bridge”:

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY NAMING THE ROUTE 340/522 BRIDGE OVER THE NORTH FORK OF THE SHENANDOAH BRIDGE IN WARREN COUNTY AS THE “GENERAL DANIEL MORGAN VETERANS’ MEMORIAL BRIDGE”

WHEREAS, the people of this county joined in the fight for American Independence, as evidenced by the numbers of soldiers’ graves marked in our soil by the Col. James Wood II Chapter of the Sons of the American Revolution; and

WHEREAS, among those joining in the fight for American Independence was one General Daniel Morgan of Frederick County, whose grave is in Mt. Hebron Cemetery in Winchester; and

WHEREAS, because the American fight for Independence went on for eight years with many disappointing outcomes that looked bleak for American Forces, General George Washington did Commission General Daniel Morgan, hero at Cowpens, to fortify Massanutten Mountain, an area of present Warren County, where American Forces and its citizens would take a stand if English Forces ultimately prevailed in the northern Colonies and at the Village of York Towne; and

WHEREAS, General Daniel Morgan, a renowned soldier and General whose war tactics that insured a major victory and a turning point at the Battle of Cowpens are taught still today in our war colleges and to our fighting troops, and whose bravery in the face of enemy forces and leadership brought great loyalty among his troops, insuring ultimate victory; and

WHEREAS, Warren County strongly supports the efforts and sacrifices made by all men and women who have served in the United States Armed Forces and recognizes the unselfish dedication and determination demonstrated by these brave patriots; and

WHEREAS, Section 33.2-213 of the Code of Virginia authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges, interchanges, or other transportation facilities forming a part of the systems of state highways; and

WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Warren County, Virginia, in accordance with Section 33.2-213 of the Code of Virginia, does hereby request that the Commonwealth Transportation Board name the bridge on Route 340/522 over the North Fork of the Shenandoah River in Warren County as the "General Daniel Morgan Veterans' Memorial Bridge"; and

BE IT FURTHER RESOLVED, that Warren County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY NAMING THE
ROUTE 340/522 BRIDGE OVER THE SOUTH FORK OF THE SHENANDOAH BRIDGE IN
WARREN COUNTY AS THE "MAJOR GENERAL DR. JOSEPH WARREN VETERANS'
MEMORIAL BRIDGE"

WHEREAS, the County of Warren is named for Major General Dr. Joseph Warren, a Founding Father of the United States of America; and

WHEREAS, Dr. Joseph Warren was martyred at the Battle of Bunker Hill June 17, 1775, by British Forces seeking to silence his voice advocating American Independence; and

WHEREAS, Warren County recognizes Dr. Warren's role as a Founding Father by adopting his name and the lowering of county flags on his birthday, June 11th; and

WHEREAS, the Warren County Board of Education has erected historic plaques in each of our schools educating our youth as to the history of Dr. Joseph Warren; and

WHEREAS, Warren County strongly supports the efforts and sacrifices made by all men and women who have served in the United States Armed Forces and recognizes the unselfish dedication and determination demonstrated by these brave patriots; and

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Warren County, Virginia, in accordance with Section 33.2-213 of the Code of Virginia, does hereby request that the Commonwealth Transportation Board name the bridge on Route 340/522 over the South Fork of the Shenandoah River in Warren County as the “Major General Dr. Joseph Warren Veterans’ Memorial Bridge”; and

BE IT FURTHER RESOLVED, that Warren County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

Purchase of Certified Elections Software and Budget Transfers – Alisa Scott

Mrs. Cook wanted to know if the purchase of this software was a planned expenditure and for which fiscal year it was planned. Alisa Scott, Deputy Finance Director, replied it was originally a planned expenditure for the Voter Registrar’s proposed FY 2022-2023 budget, but after additional budget discussions, it was determined the software needed to be in place and compliant by July 2022. This request is for the reallocation funds from line items in the current FY 2021-2022 budget to cover the costs of the software.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors authorized the interfund budget transfers totaling \$32,638 and approve the award to DemTech Sales for new ePollTAB poll book deployment for \$32,638 on behalf of Warren County:

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

Closed Session – Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board entered into a closed meeting under the provisions of Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for the discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, or resignation of a specific public officer of the public body, specifically in regard to the Board of Building Code Appeals, the Economic Development Authority Board of Directors, and the Front Royal-Warren County Airport Commission.

The Board also entered into a closed meeting under the provisions of Section 2.2-3711(A)(3) for discussion or consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, such property being located in the Fork Magisterial District within the limits of the Town of Front Royal.

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:

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

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board 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)(1), (A)(3), and (A)(8) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body:

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

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors amended the agenda to add a citizen appointment to the Warren County Building Code Appeals and further appointed Ryan Oakes to fill an unexpired four-year term ending September 30, 2025:

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

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors amended the agenda and directed the County Administrator to advertise for those to serve on a Shenandoah Farms Sanitary District Advisory Board, to present a proposed number of Board members, and take such other actions necessary to prepare for the constitution and appointment of such Board:

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

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

Adjournment

Mrs. Cullers adjourned the meeting at 12:20 PM.