

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on June 28, 2022 at 7:00 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 Botkins, Legal Counsel; Mike Berry, Public Works Director; Michael Coffelt, Sanitary District Manager; Chase Lenz, Zoning Administrator; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; Matt Wendling, Planning Director; and Shelley Hayes, Senior Office Associate

Prior to the start of the meeting, Reverend Larry Johnson opened the evening with a prayer.

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

Adoption of Agenda

Mrs. Oates requested the removal of item H (Resolution in Support of US Bike Route 211) from the agenda and the reordering of public hearing #1 (Sale of 30 E Jackson Street) to the last public hearing, the new #14.

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)

Amy Flora, teacher at Warren County High School (WCHS), introduced herself as the President of Secondary Education for the Warren County Education Association. She is appalled at the lack of support the Board of Supervisors has demonstrated regarding the proposed bonus for teachers, and she encouraged the Board members to stop calling it a "bonus". In reality, it is payment for uncompensated work. School systems across the country are losing teachers at an alarming rate due to lack of support for public education, and the actions of the Board thus far have not bolstered the image of Warren County. She urged the Board to support the teachers, support the Superintendent, and support the School Board. This County needs to quickly and dramatically change the way it deals with the education system because there will continue to be teaching vacancies if there is no support shown.

Jenni Bryant, 121 Oak Ridge Drive, has been a teacher at WCHS for ten years and currently has children in Warren County Public Schools (WCPS). She did an informal poll and received responses from sixty (60) teachers with 121 things they have done over the past year without compensation. She listed several of these things for the Board as an example of

what teachers regularly do outside normal job responsibilities and outside normal school hours. Teachers in WCPS are committed to their students' success beyond the classroom, and the past two years have been challenging for every member of the school system.

Megan Budd, 103 Fox Chase Drive, said she has been a math teacher in Warren County for over ten years. The current Board of Supervisors has been unsupportive and is out of touch with and unaware of the challenges faced by teachers and administration staff. She has seen Administrative Assistants and Secretaries at various schools filling in as substitute teachers; she has also seen mechanics in the Transportation Department drive school buses. It is no secret that Warren County is a training ground for larger, higher paying localities, and she is disheartened that the Board of Supervisors has been attacking the character and motives of WCPS administration and School Board members. She asked the Board to do the right thing and approve the bonuses on the agenda.

Dr. Kristen Pence, School Board Chair, said she is the mother of an upcoming first grader at Ressie Jeffries Elementary School and is concerned about the proposed options for WCPS funding in the proposed FY 2022-2023 budget on the agenda. She is shocked to see that both options include a reduction in funding for the school system, especially since this was not discussed with the Joint Finance Committee or the School Board. One option calls for a reduction of \$737,739, and the other calls for a \$3.5 million reduction. The School Board is not asking for any additional funds for FY 2022-2023, and she encouraged the Board to adopt the WCPS budget as proposed by the School Board.

Dr. Daley read the following email from Leslie Mathews, 143 Mathews Lane: "I prefer to address you in person but am unable to on this day. Throughout this year's budget process, I was hopeful that you, the County Administrator, the Finance Director, and Commissioner were going to make certain by way of proclamation, that our personal property taxes were not going to hit us citizens as hard as they have. My husband and I own 2 Chevrolets and 1 Jeep. Our personal property tax on these 3 vehicles INCREASED \$640.07 for the year 2022. I am very disappointed to say the least! You all know how this inflation is affecting all of us, but you did not take an extra step in which you could have went into the Commissioner's office and pulled approximately 100-200 random citizen's personal property information to see for yourself just how this was really going to affect our county before making a decision on how much to lower the rate in order to keep things leveled out for those you serve. We were told that the county was going to rate our vehicles on the 'average' instead of the 'clean' values resulting in another \$2M less in revenue as well as a decrease in our tax rate of 20 cents. This sounded good until the actual bills arrived! In reality -- our county didn't lose a thing! How could it, when my household alone was increased \$640, and I'm just one out of the nearly 15K households here?"

Steve Foreman, 887 Osprey Lane, commented how just two years ago, everyone was praising the essential workers who kept the world turning during the COVID-19 pandemic while the rest of society quarantined. His son did not enjoy virtual learning, but he did it anyway. Students in today's society are not worried about who uses which bathroom, if a girl is dating another girl, or which books might be banned – but rather about conflicts in the hallway and the possibility of someone bringing a gun into the school. Educators are the

ultimate essential workers, and he encouraged the Board to approve the bonuses to show its appreciation.

Dr. Antoinette Funk, School Board member, said she has two children who are students in WCPS. Education is a powerful part of the community, and educating students is the best way to create a community that will thrive and that will be competitive in the State and across the nation. She knows firsthand what educators do, as she is an educator herself, and the School Board has worked endlessly to make sure every dollar is used to support education and teachers.

Lynda McDonough, 1205 High Top Road, thanked the Board for its transparency and realizing that things needed to be done with the existing management of the Shenandoah Farms Sanitary District. It was determined in 1996 that Property Owners of Shenandoah Farms, Inc. (POSF) was not a Property Owners or Homeowners Association, but it was not until this year that the Board of Supervisors listened and established a separate Advisory Committee.

Due to it being 7:30 PM, Mrs. Cullers stopped the public comment period in order to begin the public hearings.

Public Hearing – Hangar Lease Agreement with Randolph-Macon Academy – Alisa Scott

Alisa Scott, Deputy Finance Director, reported the County has previously entered into a hangar lease agreement with Randolph-Macon Academy (RMA) at the Front Royal-Warren County Airport. This agreement was in effect for a term of thirty years from May 1, 1992 to May 1 2022. An extension was issued to the agreement until June 30, 2022.

The County is in the process of revising all hangar lease agreements, updating its airport rules and regulations, and hiring staff to fulfill specific duties at the airport. In coordination with the Airport Commission, staff recommends the County extend the RMA hangar lease agreement until December 31, 2022. All other terms of the agreement remain in full force and effect.

Mr. Butler asked if there was a difference in hangar lease fees for RMA versus a typical private renter, and while Ms. Scott did not know the exact figure, she said there is a significant difference.

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 Mr. Mabe, and by the following vote, the Board of Supervisors approved the second Randolph-Macon contract modification extending the contract until December 31, 2022 and further authorized the Chair and County

Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney:

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

Public Hearing – Ordinance to Amend and Re-Ordain Chapter 38 of the Warren County Code (Procurement) – Alisa Scott

Ms. Scott reported the Virginia Public Procurement Act, Va. Code §§ 2.2-4300 et seq., grants to public entities, including Warren County, the authority through ordinance or resolution, to establish their own policy and procedures that promulgate the Procurement Act. Currently, Chapter 38 Procurement of the Warren Code, only includes a process for solicitation and execution for Design-Build Contracts. This ordinance is the only codified Procurement Policy for the County and was most recently adopted on October 2, 2007.

The Procurement Act is updated each year and as such, staff recommends that the Warren County Code not only reflect previous updates, but also adopt articles that will provide additional information and guidance to County officials and employees. The purpose of this ordinance is to increase public confidence in purchasing, to encourage competition among vendors and contractors, to administer fair and impartial purchasing procedures, and to obtain high quality goods and services at a reasonable price.

Staff requests the Board repeal the existing Section 38-1 Design-Build Contracts and add the proposed articles to Chapter 38 to make up the Warren County Procurement Policy. Additionally, staff recommends the Purchasing Agent consistently review any changes to the Procurement Act each year, usually in July and August, and present those updates to the Board for review.

Mrs. Oates asked if Ms. Scott would be the staff member responsible for opening the bids, and Ms. Scott confirmed that she would be. Mrs. Oates wanted to be sure individuals would not be making contract award decisions based on who their friends are.

Mr. Butler asked what would happen if only two – not three – bids were received, and Ms. Scott replied that the County could still consider them if the proposal was published on eVA or if the County received sealed bids. Any project or purchase that is slated to cost over \$50,000 will require the solicitation of sealed bids.

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 Mr. Mabe, and by the following vote, the Board of Supervisors adopted the ordinance to amend and re-ordain Chapter 38 of the Warren County Code, Procurement:

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

For full text of Ordinance, see Attachment A

Public Hearing – Ordinance to Add and Ordain Chapter 39 of the Warren County Code (Guidelines Regarding Requests Made Pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002) – Alisa Scott

Ms. Scott reported the Public-Private Education Facilities and Infrastructure Act of 2002, Va. Code §§ 56-575.1 *et seq.* (the “PPEA”), grants to public entities, including Warren County, Virginia (the “County”), the authority to develop and/or operate public-private partnerships for a wide range of qualifying projects if the public entity determines that there is a need for a qualifying project and that private involvement may provide the project to the public in a more timely or cost-effective fashion.

In general, projects that qualify for public-private partnerships under the PPEA include (i) education facilities, (ii) buildings or facilities that meet a public purpose and are developed or operated by or for any public entity, (iii) improvements and equipment necessary to enhance public safety or the security of public buildings, (iv) utility and communications infrastructure, (v) recreation facilities, (vi) technology infrastructure, services, and applications, (vii) services designed to increase the productivity or efficiency of a public entity, (viii) technology, equipment, or infrastructure designed to deploy wireless broadband services, and (ix) any solid waste management facility that produces electricity from waste. The term “qualifying project” is more fully defined in the PPEA.

The PPEA provides that a public entity may not consider any proposal by a private entity for approval of a qualifying project pursuant to the PPEA until the responsible public entity has first adopted and made publicly available reasonable guidelines that (i) are sufficient to enable the responsible public entity to comply with the PPEA, and (ii) which encourage competition and guide the selection of projects. Accordingly, these guidelines (the “Guidelines”) are adopted by the County, on behalf of itself and for all other public bodies for which the County’s Board of Supervisors serves as the governing body, and shall apply to the submittal, review, and selection of qualifying projects under the PPEA.

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 Mr. Mabe, and by the following vote, the Board of Supervisors adopted the proposed ordinance creating Warren County Code Chapter 39, Warren County Guidelines Regarding Requests Made Pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002:

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

For full text of Ordinance, see Attachment B

Public Hearing – Virginia Department of Transportation Secondary Six-Year Plan for FY 2023-2028 and 2023 Construction Budget – Mike Berry/Michael Coffelt

Mike Berry, Public Works Director, the Board has discussed the proposed Secondary Six-Year Plan for Fiscal Year 2023-2028 at several work sessions, and at its most recent work session on June 7, 2022, the Board also identified its next three priorities for rural rustic improvement:

- William Vincent Road (Route 631)
- Richardson Road (Route 616)
- Messick Road (Route 616)

The consensus of the Board is to place these three roads on future Secondary Six-Year Plans for scheduled improvements.

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 approved the Secondary Six-Year Plan for FY 2023-2028 and 2023 Construction Budget as proposed:

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY, VIRGINIA

WHEREAS, Section 33.2-361 of the Code of Virginia (1950), as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2023 through 2028) as well as the Secondary System Construction Budget (2023) on June 28, 2022 after duly advertised so that all citizens of Warren County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List, and

WHEREAS, Ed Carter, Residency Administrator with the Virginia Department of Transportation, appeared before the Warren County Board of Supervisors and recommended approval of the Six-Year Plan for Secondary Roads (2023 through 2028) and the Secondary System Construction Budget (2023) for Warren County.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Warren County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2023 through 2028) and Secondary System Construction Budget (2023) are hereby approved as advertised.

Route PPMS ID Accomplishment	Road Name/Description From-to-Length	Estimated Cost
Rt. 624 17714 RAAP Contract	Happy Creek Road #HB2FY 17 Reconstruction ECL Front Royal Rt. 645	\$4,737,868
Rt. 628 111061 State Forces/Hired Equipment	Rocky Hollow Road Rural Rustic Rt. 613 Indian Hollow Road Rt. 629 Acorn Hill Road	\$359,458
Rt. 660 21814 State Forces/Hired Equipment	Kendrick Ford Road Rural Rustic Rt. 621 Punch Run Road End of State Maintenance	\$254,000
Rt. 613 21815 State Forces/Hired Equipment	Panhandle Road Rural Rustic Rt. 619 Mountain Road Rt. 608 Wilson Burke Road	\$173,250
Rt. 631 21816 State Forces/Hired Equipment	William Vincent Road Rural Rustic Rt. 622 Buck Mountain Road Rt. 613 Bentonville Road	\$355,000
Rt. 4005 100215	Countywide Transportation Services	\$0
117036	Additional Rural Rustic Funds	\$862,487

Public Hearing – Z2022-03-02 – Justin and Maureen Sager – Ordinance to Amend Warren County Code Sections 180-8, 180-21, and 180-30.1 Regarding Poultry Abattoirs – Matt Wendling

Matt Wendling, Planning Director, reported the applicants for this text amendment, Justina and Maureen Sager, operate Flo-Ray Farm located at 1140 Ashby Station Road in the Rockland area of the County. The farm is owned by Mr. Sager’s parents, Earl and Sherry Lynn Sager. The property is zoned Agricultural (A) and is included in the Rockland Agricultural and Forestal District.

The applicants have submitted an overview of the proposed abattoir for poultry that are raised and slaughtered on their property. They plan to raise them in portable “chicken tractors”, also called broiler shelters, which will be moved on a daily basis to distribute the nutrient waste generated from each shelter. They plan on starting with three of these units and will rotate them throughout the farm, keeping a setback of 100’ from the property line.

The applicants have raised and butchered chickens for their own use for non-commercial distribution to family and friends for the past three years. They are requesting the text amendment so they can sell their product at local farmer's markets, retail stores, and larger farms which market to the public free-range raised chickens. They intend to slaughter no more than 1,000 poultry per year and will average 150 per cycle, which equates to 6 to 7 times per year when the slaughtering will take place. According to the applicants, this will occur from March to October.

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.

Mrs. Oates noted the County has one abattoir in operation currently, and Mr. Wendling confirmed Blue Ridge Meats is a grandfathered abattoir that has been around for over fifty years.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors, finding that the proposed zoning ordinance amendment is appropriate for the public necessity, convenience, and general welfare and good zoning practice, adopted the proposed ordinance to amend and re-ordain Sections 180-8, 180-21, and 180-30.1 of the Warren County Code pertaining to Poultry Abattoirs:

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

AN ORDINANCE TO ADD THE DEFINITION OF ABATTOIR (POULTRY) IN SECTION 180-8
AND AS AN ACCESSORY USE BY-RIGHT TO 180-21.C AND ADD SUPPLEMENTAL
REGULATIONS PERTAINING TO POULTRY ABATTOIRS IN 180-30.1

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Sections 180-8, 180-21 and 180-30.1 of the Warren County Code (Zoning) be amended, added, and re-ordained as follows:

Chapter 180. Zoning

Article II. Application

§ 180-8. Definitions.

- A. General usage...
- B. Interpretation by Zoning Administrator...
- C. Definitions of words and terms. As used in this chapter, the following words and terms shall have the meanings indicated:

ABATTOIR (POULTRY)

A structure where poultry is slaughtered and prepared for distribution. The facility is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, or storage of the product on the premises.

§ 180-21. Agricultural (A) District.

- A. Statement of intent...
- B. Uses permitted by right...
- C. Accessory uses permitted by right. Accessory uses permitted by right shall be as follows:

...

(9) ABATTOIR (POULTRY)

§ 180-30.1. ABATTOIR (POULTRY)

- A. **Statement of intent. This section describes regulations for an exempt poultry abattoir which is permitted by right in the Agricultural District.**
- B. **Requirements. Except as otherwise provided in this chapter, an exempt poultry operation initiated after the enactment of this section which exceeds the slaughtering of more than 1,000 animals per calendar year shall constitute a violation of this chapter. A confirmation letter from the Virginia Department of Agricultural and Consumer Services recognizing the property owner's farm and poultry abattoir as meeting the standards for exemption for the raising, slaughtering and processing of 1,000 birds or less per year shall be required with the submission of the application.**
- C. **Definitions. As used in this section, the following terms shall have the meanings indicated:**

EXEMPT POULTRY ABATTOIR

A structure where poultry is slaughtered, processed, packed and labeled for distribution. The facility is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, or storage of the product on the premises. The number of slaughtered fowl or birds shall not exceed 1,000 animals per calendar year.

NUTRIENT

Poultry excrement, litter, offal, innards, feet, heads, feathers and/or waste.

POULTRY

Includes all domestic fowl and game birds raised in captivity.

RECREATIONAL POND OR LAKE

Any pond or lake which is used for fishing, boating, swimming or any other recreational activity.

- D. Structures used for an exempt poultry abattoir operation shall be located no closer than:
- (1) Five hundred feet to any structure designed to be occupied as a residence, excluding any residence owned by the applicant.
 - (2) Five hundred feet to any residential zoning district, school, church, community center or commercial business establishment or industry or any other structure designed for public occupancy.
 - (3) Five hundred feet to any boundary of a town within the County.
 - (4) One hundred feet to any adjacent property where existing agricultural operations are being pursued.
 - (5) Two hundred feet to any primary highway, secondary highway, roadway or other right-of-way for passage.
 - (6) Three hundred feet to any recreational pond, lake, river, creek, spring, reservoir or any public water supply system, including but not limited to community wells.
 - (7) One hundred feet to the property owner's private water supply system, including but not limited to a well or cistern.
- E. The property owner shall have their 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.
- F. All exempt poultry abattoir operation shall be on a parcel of 20 acres or more under a single ownership. In addition, the applicant shall meet all other requirements of this section.
- G. Limitations on structures for an exempt poultry abattoir operation. There shall be no more than one structure for the use as a poultry abattoir on the property.
- H. Site plan required. Each application for a exempt poultry abattoir shall be accompanied by a site plan of the entire parcel with location of proposed facility drawn to scale and in sufficient detail to show that the proposed abattoir operation meets all applicable setback requirements of this section and showing the direction and distances to nearest residences, adjacent zoning districts, platted residential subdivisions, rural service areas, mobile home parks, public schools, recreation areas, wells, springs and water intakes listed under other required setbacks.
- I. Filing of nutrient management form. An exempt poultry abattoir property owner shall file with the Zoning Administrator a nutrient management form containing the following information, prior to obtaining a certificate of zoning and/or a building/agricultural permit:
- (1) Number of poultry to be raised per year.
 - (2) Estimated number of cubic yards of poultry waste to be generated annually.

- (3) Cubic yards of poultry waste to be stored and composted on the operation's premises annually.
- (4) Description of method of composting and identify the location of the poultry waste and wastewater by-product where this is stored.

J. Plan for nutrient storage site.

- (1) An application for an exempt poultry abattoir operation shall contain a plan for the nutrient storage site which shall satisfactorily demonstrate that the nutrient storage site:
 - (a) Is not located in a stormwater drainage area.
 - (b) The location is shown on the site plan.
 - (c) Does not encroach on the property's septic system.
 - (d) Has sufficient capacity to accommodate 100% of the waste produced by the operation on the parcel during the time in which slaughtering occurs.
 - (e) Is located on the same parcel as the facility to which it is an accessory use.
 - (f) Shall not be stored within five hundred feet of a neighboring residential dwellings, excluding any residence owned by the applicant. Dead fowl or birds shall be removed according to best nutrient management practices.
- (2) There shall be three copies of the plan submitted to the Zoning Administrator. The Zoning Administrator will forward two of those copies to the Lord Fairfax Soil and Water Conservation District and the Virginia Tech Cooperative Extension Animal Science agent to review the proposed plan for nutrient storage within 30 days. Upon review and approval of the plan, a certificate of zoning will be issued for the operation.

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION.

Language proposed to be deleted is lined through. ~~Example~~

Language proposed to be added is bolded and underlined. **Example**

Public Hearing – Conditional Use Permit 2022-03-06, Patricia A. Brown for Private Use Camping Located off Misty Meadow Lane – Chase Lenz

Chase Lenz, Zoning Administrator, reported the applicant is requesting a conditional use permit for private use camping on a vacant lot in the Massanutten View subdivision, a portion of which is located in the Special Flood Hazard Area (SFHA). Ms. Brown purchased the property in April 1996, and her son's family owns and lives at the adjacent property. She would like for her family to be able to use the property for camping and recreational activities on the weekends during the summer and fall seasons. Her family is involved with local Cub Scouts, Boy Scouts, and American Heritage Girls troops, and she would like to be able to host a noncommercial weekend camp on the property twice per year.

Approval of the conditional use permit would also bring the existing shed on the property into compliance with the Warren County Code §180-310(4). For a vacant lot in the Residential One (R-1) Zoning District located in the SFHA, an approved conditional use permit for private use camping allows for an accessory structure used solely for the storage of property maintenance and recreation equipment to be located on the lot without a single-family dwelling. The conditional use permit would allow the applicant to park and use up to two recreational vehicles or campers on the lot for up to 180 consecutive calendar days.

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 Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Patricia Brown for private use camping 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 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.
4. The accessory building shall meet all requirements of the Residential-One Zoning District and the Floodplain Overlay District.
5. The use of major recreational vehicles for private use camping on the property shall be prohibited.
6. The applicant shall be limited to no more than four organized noncommercial camping events for local community groups per calendar year, provided that no event exceeds three days in duration. The applicant shall notify Planning Department staff prior to any organized noncommercial camping event. The property boundaries shall be clearly marked throughout the duration of each organized noncommercial camping event.

Public Hearing – Conditional Use Permit 2022-04-01, Phong Nguyen for a Short-Term Tourist Rental Located at 571 Wilderness Road – Chase Lenz

Mr. Lenz reported the applicant is requesting a conditional use permit for a short-term tourist rental. The applicant and his wife have visited Shenandoah National Park multiple times, and they are in love with the beauty of the Shenandoah Valley area and the kindness of local people we have interacted with. They wish to rent their second residence in order to share those experiences with other people who are coming from out of town. They plan to rent the home 4 to 6 months per year, dependent on seasonal activities. Mr. Nguyen plans to be the full-time property manager and to have a cleaning service maintain the property between rentals.

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. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Phong Nguyen 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 applicant 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 five as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicant shall have the well/drinking 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 applicant 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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Public Hearing – Conditional Use Permit 2022-04-02, Emilia Cirker and Mark Saunders for a Short-Term Tourist Rental Located at 5865 Gooney Manor Loop – Matt Wendling

Mr. Wendling reported the applicant, Ms. Cirker recently purchased the property in October 2021 and plans to open both a holistic wellness retreat center offering both classroom and outdoor activities to attendees and a short-term tourist rental on weeks when the Retreat center is not hosting workshops or other events. She plans to offer it as a “luxury experience destination” for relaxation and will be offered less than half the year since there are plans for both for their own use and to allow family members to live in the home at least 3 months out of the year and host the retreat center events/workshops for the balance of time when the property is not being rented short-term. The property dwelling does have an attached historic cottage which will be used for both uses, and her brother Mark Saunders will be assisting as the manager of the rental.

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

Emilia Cirker, applicant, thanked the Board for considering her request and the community for providing input on her applications. Her ultimate desire in establishing a short-term tourist rental and a retreat center is to give back.

Mr. Mabe questioned the differing occupancy limits mentioned in the staff report, and Ms. Cirker responded the existing system accommodates an occupancy of 4 persons, but she is planning on expanding the septic system to eventually accommodate 10 persons. Mr. Wendling noted Ms. Cirker would need to request a modification to this conditional use permit, if approved, should she desire to increase the occupancy limit from 4 to 10 persons.

Mrs. Cullers wanted to know if there was adequate parking for both uses, and Ms. Cirker replied that she plans to expand the existing parking area to wrap around behind the barn.

Mrs. Oates asked if the Virginia Department of Transportation (VDOT) would need to review and approve any sort of egress/entrance plans, and Mr. Wendling said the only comments the Department received from VDOT were that the applicant needs to trim the landscaping adjacent to the entrance in order to maintain site distance onto the State road (Gooney Manor Loop), which has been added as a condition for the permit.

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 approved the conditional use permit request of Emilia Cirker and Mark Saunders 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 issued for a two-bedroom dwelling in 1970 and repaired in 2009. In order for additional occupants to be considered an upgrade to the system shall be approved and an operational permit issued by the Health Department. The applicant shall then apply for a modification to this permit for the increased occupancy once the new system has been deemed operational.
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 north entrance off Gooney Manor Loop shall be the only entrance used by guests of the Short-Term Tourist Rental and Retreat Center, guests are prohibited from using the Rainbow Bridge Lane entrance which shall be limited only to the property owners and service vehicles.
6. The landscaping adjacent to the entrance shall be trimmed and pruned as needed to maintain site distance onto the state road and the entrance shall be identified with signage for guests only.

Public Hearing – Z2022-04-01 – Emilia Cirker and Mark Saunders – Ordinance to Amend Warren County Code Sections 180-8 and 180-55.3 Regarding Retreat Centers – Matt Wendling

Mr. Wendling reported the applicant, Emilia Cirker has requested this text amendment to add changes to the current definition of a Retreat Center. The current definition in Warren County Code Section 180-8 states a Retreat Center is, *“A facility designed to provide refuge, seclusion and privacy for the purpose of rest, meditation and/or religious exercises.”*

The applicant would like to add the following language to the definition, “A facility designed to provide refuge, seclusion and privacy for the purpose of rest, meditation, **holistic wellness** and/or religious exercises. **The facility may conduct training, seminars, workshops, and customized programs in both indoor and outdoor settings.**”

This land-use is currently listed as a conditional use in Warren County Code Section 180-21(D)(36) in the Agricultural (A) zoning district, which will not change. The current land-use does not have any supplemental regulations identified, and County staff is recommending the proposed regulations be located added as Section 180-55.3.

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

Mrs. Cullers opened the public hearing.

Roxanne Campbell, 198 Autumn Hills Lane, does not think bringing a commercial enterprise into an Agricultural Zoning District is a good idea.

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

Mr. Butler questioned whether the proposed expanded definition of Retreat Center would cover the cooking classes slated to be offered, and Ms. Cirker explained that “holistic” means mind, body, and spirit. This use is geared towards coaching people on how to live a healthier lifestyle and is not intended for use as a commercial kitchen. It will be an intimate setting where people are learning how to properly care and nourish themselves.

On a motion by Mrs. Cook, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors, finding that the proposed zoning ordinance amendment is appropriate for the public necessity, convenience, and general welfare and good zoning practice, adopted the proposed ordinance to amend and re-ordain Section 180-8 and to add and ordain Section 180-55.3 of the Warren County Code pertaining to Retreat Centers:

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

ORDINANCE TO AMEND THE DEFINITION OF RETREAT CENTER IN SECTION 180-8 AND
ADD SUPPLEMENTAL REGULATIONS PERTAINING TO RETREAT CENTERS

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Sections 180-8 and 180-55.3 of the Warren County Code (Zoning) be amended, added, and re-ordained as follows:

Chapter 180. Zoning

Article II. Application

§ 180-8. Definitions.

RETREAT CENTER

A facility designed to provide refuge, seclusion and privacy for the purpose of rest, meditation, **holistic wellness** and/or religious exercises. **The facility may conduct**

training, seminars, workshops, and customized programs in both indoor and outdoor settings.

Article V. Supplementary Regulations

§ 180-55.3 Retreat Center

These provisions are intended to ensure that retreat centers are operated in a safe and healthful manner. Where allowed, retreat centers shall meet the following requirements:

- A. The property owner and/or operator of the retreat center shall apply and receive a zoning permit from the Planning Department prior to operation. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit.
- B. The maximum number of occupants/participants shall be determined by approved permits received by the Warren County Health Department and shall be specified in the conditions placed on the conditional use permit.
- C. Parking for the use shall be in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all right-of-ways and in yards. The applicant shall meet all standards for parking areas as referenced in §180-15 for Off-street Parking.
- D. Property boundaries, or limitations within the property's boundaries where attendees are allowed, must be clearly marked at all times.
- E. The hours of operation shall be specified in the conditions placed on the conditional use permit.
- F. Overnight stays may be permitted, occupancy is determined by §180-55.3.B.
- G. The use of overnight outdoor accommodations may be allowed by participants of the retreat center and shall meet the following requirements:
 - (1) A site plan shall be submitted to the Planning Department that includes but not limited to information regarding structures, adequate parking, traffic control into and around the site, emergency ingress and egress, directional signage, outdoor lighting, and restroom facilities.
 - (2) Overnight outdoor accommodations shall only be used by people participating in retreat center activities.
 - (3) No permanent cabins or recreational vehicles shall be permitted.
 - (4) The size and total number of outdoor sites to be occupied for overnight accommodations shall be determined by lot size as follows:
 - (a) No outdoor site shall occupy more than 400 square feet.

- (b) **Lots equal to or greater than 2 acres but less than 5 acres in size, shall have no more than one outdoor site.**
- (c) **Lots equal to or greater than 5 acres but less than 10 acres in size, shall have no more than two outdoor sites.**
- (d) **Lots equal to or greater than 10 acres but less than 20 acres in size, shall have no more than three outdoor sites.**
- (e) **Lots 20 acres or more in size, shall have no more than five outdoor sites.**
- (5) **Outdoor site locations shall be in the side or rear yard.**
- (6) **Outdoor site locations shall be 50 feet from any property line and/or 100 feet from any neighboring dwelling.**

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION.

Language proposed to be deleted is lined through. ~~Example~~

Language proposed to be added is bolded and underlined. **Example**

Public Hearing – Conditional Use Permit 2022-04-03, Emilia Cirker and Mark Saunders for a Retreat Center Located at 5865 Gooney Manor Loop – Matt Wendling

Mr. Wendling reported Ms. Cirker’s property has an attached historic cottage which will be used for both uses, a barn to be used for indoor health and wellness activities, and an old chicken coop accessory structure which they plan to demolish and build a yoga studio and classroom for their “life-enhancing” workshops and related wellness events. Her brother Mark Saunders will be assisting as a fitness coach and assistant at the workshops and training seminars.

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

Mrs. Cullers opened the public hearing.

Kellie Campbell, 3862 Bentonville Road, said it seems like the total number of people coming to this property is uncertain due to the multiple uses of short-term rental and retreat center as well as the variety of classes being offered.

Roxanne Campbell, 198 Autumn Hills Lane, reiterated her concerns about bringing a commercial business into a small community and historic district.

Melanie Salins, 95 Murrays Drive, said she is a retreat-going yoga person who attends seminars similar to the ones Ms. Cirker plans to host. Ms. Salins believes this proposed use is how to keep the County rural. Attendees for this use will be calm and zen; they will not be speeding down unfamiliar roads or going out drinking and partying after a retreat.

There being no further 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 Cirker and Mark Saunders for a retreat center 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, Virginia Department of Transportation and 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 issued for a two-bedroom dwelling in 1970 and repaired in 2009. In order for additional occupants to be considered an upgrade to the system shall be approved and an operational permit issued by the Health Department. The applicant shall then apply for a modification to this permit for the increased occupancy once the new system has been determined to be operational.
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 applicant shall meet the Code requirements of Section §180-15 for off-street parking with the number of spaces to be determined by the Zoning Administrator for Retreat Center events.
5. The north entrance off Gooney Manor Loop shall be the only entrance used by guests of the Short-Term Tourist Rental and Retreat Center, guests are prohibited from using the Rainbow Bridge Lane entrance which shall be limited only to the property owners and service vehicles.
6. The landscaping adjacent to the entrance shall be trimmed and pruned as needed to maintain site distance onto the state road and the entrance shall be identified with signage for guests only.
7. The site plan shall be reviewed by Planning staff and all regulations and conditions must be met prior to the issuance of a certificate of zoning for the business license.

Public Hearing – Conditional Use Permit 2022-04-04, Vanessa Portillo (Destin Consulting, LLC) for a Short-Term Tourist Rental Located at 806 Esteppe Road – Chase Lenz

Mr. Lenz reported the applicant is requesting a conditional use permit for a short-term tourist rental for the property she purchased in May 2021. Ms. Portillo fell in love with

the property during her first visit. Upon hearing some of the stories and learning the history of the farmhouse, she was determined to give it a second chance. She would like to share the peace and serenity the home brings her with visitors to the Shenandoah Valley area by making it available for short-term rentals when her family is away for unexpected events, soccer tournaments, and ballet recitals. With over 7 years of experience as a real estate agent, Ms. Portillo will manage the property and guest vetting process personally with assistance from two neighbors for immediate response to any complaints, emergency maintenance, and trash removal when she is unavailable.

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

Mrs. Cullers opened the public hearing.

Jerome Parz, 773 Esteppe Road, reported that the neighborhood is irritated and insulted by this applicant and her family. The neighborhood welcomed them with open arms, and they were given the impression that the Portillos would be neighbors living there full-time. The Portillos have rarely stayed at the property, and the neighborhood feels the applicant has been insincere throughout this process. He and his neighbors are going to be diligent about making sure the conditions of the permit are followed because they do not believe that the Portillos will do what they say.

Thomas Allen, 762 Esteppe Road, said he has the same concerns as the previous speaker. There are many young children in the neighborhood, and the possibility of many different people coming and going on the weekends is concerning. When the applicant first moved in, she said she and her family could not wait to move into this neighborhood, but since purchasing the property, he has only seen them once or twice.

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

Mrs. Cullers asked about who would be managing the property, and Mr. Lenz replied that the applicant has expressed her intent to manage the property along with a company named Evolve. The County has several approved conditional use permits that use the same company. The applicant, Vanessa Portillo, stated she lives in Manassas and has provided contact information for local friends and her father to Evolve in case she is unreachable. She further noted that the original plan was for her sister and mother to live at the property full-time, but her mother has since fallen ill, which has derailed those plans.

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 Vanessa Portillo (Destin Consulting, LLC) 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 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 applicant 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 applicant 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 on the state road shall be prohibited.

Public Hearing – Conditional Use Permit 2022-04-05, Carl Boswell for a Short-Term Tourist Rental Located at 338 Walker Farm Drive – Chase Lenz

Mr. Lenz reported the applicant and his wife hope for this house to be their second home, allowing them to enjoy what Warren County has to offer. When not in use by the applicant, he would like to provide housing for those coming to the enjoy the County's attractions for themselves. He intends to make the house available for short-term rental use throughout the year, listing it as a cozy two-bedroom, one-bathroom home for those looking for a place to stay in between hiking, boating, and other sightseeing adventures.

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

Mrs. Cullers opened the public hearing.

Lynda McDonough, 1205 High Top Road, voiced her irritation that the term "POA" was still being attributed to POSF, Inc. when it is actually a nonstock corporation; this was in response to Mr. Lenz referring to POSF, Inc. as a POA during his staff report.

Bruce Boyle, 343 Susans Court, said he is a member of the POSF, Inc. Board and reported that POSF, Inc. has applied to be a POA as of one week ago.

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

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the conditional use permit request of Carl Boswell 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 and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicant shall have the well/drinking 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 applicant 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 2022-04-06, Matthew Ben Tow for a Short-Term Tourist Rental Located at 110 Demel Court – Chase Lenz

Mr. Lenz reported the applicant is requesting a conditional use permit for a short-term tourist rental for the property he recently purchased in December 2021. Mr. Tow and his family fell in love with the Linden area while searching for a second property to serve as a quiet escape from their townhouse in Washington, D.C. and where his children can run around barefoot. He would like to make the property available for short-term rentals for guests visiting the Warren County area when his family is not using the property to take a much-needed break from the hustle and bustle of the city. Mr. Tow and his wife have over 5 years of experience managing two successful short-term rentals in Washington, D.C. and they are superhosts on AirBnB. He plans on engaging Evolve, a third-party management company, to manage the reservations and guest screening. He will use local professional services for cleaning, maintenance, and trash removal.

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

Matthew Tow, applicant, stated he did not know of the objections made by the Skyland Estates Community Corporation until during the Planning Commission public hearing. These objections resulted in the addition of a condition to the permit restricting outdoor burning by renters. All his neighbors have fire pits, and this feature is something he desires as well; he asked the Board to remove the outdoor burning restriction.

Mr. Butler commented on how a permanent resident would take care of the home and property with more diligence, but a short-term renter would not have as much vested interest. He understands that it seems persnickety but tends to agree with keeping the condition as proposed. Mr. Tow as the property owner is free to use a fire pit; only guests are restricted from use.

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 Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Matthew Ben Tow 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 applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department permit for a four-bedroom dwelling.
3. The applicant 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 applicant 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.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Public Hearing – Sale of County-Owned Real Property Located at 30 E Jackson Street – Alisa Scott

Ms. Scott reported the County has solicited appraisal services in preparation of the sale of 30 E. Jackson through its broker Adams-Nelson & Associates, Inc. After Adams-Nelson marketed the property, the County received one offer Blue Ridge Information Systems for \$240,000.00. The contract purchase price meets the appraisal, but a second offer has been received that she would like the Board to consider.

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. Oates, and by the following vote, the Board of Supervisors entered into a closed meeting under the provisions of Section 2.2-3711(A)(3) of the Virginia Freedom of Information Act for the discussion or consideration of the disposition of publicly held real property, such real property being 30 E Jackson Street and the McKay Springs property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body:

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 Section 2.2-3711(A)(3) 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

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

Public Comment Period (Continued)

Julie Besecker, 105 Bluebell Court, Winchester, said she has taught at Ressie Jeffries Elementary School since 2016. Adding in cuts to the proposed FY 2022-2023 budget for WCPS at the last minute was very sneaky. The Board approving the proposed bonuses should be a no-brainer, especially for teachers; teachers have been more than flexible than ever thought of between classroom and curriculum changes. Additionally, saying the schools' administration should not get this bonus because they make "enough already" is wrong.

Melanie Salins, 95 Murrays Drive, stated good governance requires communication and should not be rushed, which is why she was shocked when she saw the proposed motions in item O with reductions to the WCPS budget. She and her fellow School Board members worked diligently to come up with a budget plan for FY 2022-2023 that was balanced but fiscally responsible. But now that the State has awarded school systems increased funding, the County is proposing to cut its contribution by an equal amount. The Board of Supervisors and School Board have not had the opportunity to discuss these

proposed changes jointly. She was told that these proposed changes did not come from the Board of Supervisors but rather from a conversation between the County Administrator and Finance Director.

Jessica Forbes, 1446 Acorn Hill Road, said this was her first year as a teacher for WCPS. She plans to continue teaching here because of the community, but the message the Board of Supervisors is conveying suggests she should leave. The Board is sending the message that it does not care about the future of education in the County. She would love to stay and teach here for the next 20 years, but changes need to be made, and they start with the Board.

Carla Snell, 315 W 11th Street, has been a teacher in Warren County for nearly two decades. She believes cutting the proposed WCPS budget is reckless and disrespectful and also believes the Board should approve the proposed bonuses. Teachers work way beyond their contracted hours; because of underfunding, she was the only Special Education-inclusive teacher for the entire History department at her school. She was also the backup nurse at WCHS during the COVID-19 pandemic. She is thankful for the staff, the Superintendent, and her principal for rallying behind the teachers over the past few years, and now it is the Board of Supervisors' turn to do the same.

Stevie Budd, 737 E Stonewall Drive, has chosen to dedicate her career to serving children in Warren County as an English teacher at Warren County Middle School. She is shocked and dismayed by the words and actions of this Board that imply the children who attend school here do not matter. She questioned, what advantages do the children of this County not deserve? Budget cuts rob classrooms of highly qualified staff. She told the Board to not take opportunities away from the children of this community and to not approve budget cuts to the FY 2022-2023 budget for WCPS.

Ralph Rinaldi, School Board member, said the biggest thing he learned when he was running for election for the School Board was that people were not only concerned about retaining teachers in Warren County, but also the custodians, maintenance workers, and bus drivers. All WCPS employees have shown exceptional dedication over the past few years, specifically related to the COVID-19 pandemic, and he encouraged the Board of Supervisors to not cut them short.

Andrea Lo, School Board member, reminded the Board of her position on the Joint Budget Subcommittee, and even she did not realize what was being proposed for the FY 2022-2023 budget until 7:15 PM this evening. She is disappointed that she did not know sooner and that there were no conversations had with the Subcommittee or with the School Board about the Board of Supervisors' intentions.

There were no further comments from the public.

Appropriations and Transfers

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

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

APPROPRIATIONS

Lake Front Royal Sanitary District	Appropriation for Internal Projects, road work planned and performed, and transfer funds from Operating to cover overrun	\$147,169
Fire and Rescue	To appropriate the insurance recovery for the loss of 2003 Spartan Engine. The County has deposited the check and will make payment to the FRVD	\$224,750
Fire and Rescue	To appropriate VDEM - Grant Funding Emergency Management	\$2,669
Sheriff's Office	To appropriate extradition reimbursements from travel expenses incurred to pick up fugitives	\$2,318
Parks and Recreation	Three donations received for Avtex Shelter Picnic Tables	\$3,096
Sheriff's Office	To appropriate funds for a JAM Grant from the Warren Coalition to compensate the salary of SRO's	\$2,357

TRANSFERS

Public Works Refuse Disposal	Line Item Transfers for overrun and end of the Year Budget	\$19,199
Public Works Sanitation District	Line Item Transfers for overrun and end of the Year Budget	\$14,736
Fire and Rescue	Insurance Claim Reimbursement, Adjustment for Towing Eng. #4	\$1,658
Planning and Zoning	Transfer to cover the additional costs of advertising due to the increased amount of advertising for public hearings for new applications	\$2,000
County Attorney	Transfer remaining funds remaining in the current budget to 12040-5401 so the office can purchase necessary office supplies	\$1,500
General District Court	Transfer to cover phone bill costs	\$4,500
Clerk of Court	Transfer reimbursement to TTF GL to line item transfer to appropriate expenditures; service contracts, and computer equipment	\$32,289
Clerk of Court	Transfers from Operating and Capital to Balance Budget	\$3,365
Clerk of Court	Transfer from Operating and Capital to correct coding errors	\$13,082

Approval of Accounts

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

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

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 special meeting of June 3, 2022 and its regular meeting of June 7, 2022:

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

Unfinished Business – Appropriation of \$343,600 to the Warren County Public Schools Capital Improvements Fund – Dr. Chris Ballenger

Dr. Chris Ballenger, WCPS Superintendent, reported at the May 18, 2022 regular meeting of the Warren County School Board, approval was given to request that the Warren County Board of Supervisors appropriate \$343,600 to the School Capital Improvements Fund to replace the membrane roof at Blue Ridge Technical Center. Funding for this project would come from the portion of the FY 2020 WCPS operating fund surplus that was previously requested for school capital projects.

The existing membrane roof has developed multiple leaks over the years with previous repair attempts unsuccessful. Staff posted an Invitation for Bid (IFB) utilizing the Commonwealth's eVA Procurement website along with the school division's website at the end of March 2022. A pre-bid meeting was conducted on April 13, 2022 with eight (8) contractors in attendance. Five (5) bids were received on April 29, 2022 with Black Stone Roofing, LLC, the lowest most responsive bidder at \$343,600.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the request of Warren County Public Schools to appropriate \$343,600 from the County's General Fund Balance to the School Capital Improvement Fund for the purpose of the award of a contract to Black Stone Roofing, LLC for the replacement the membrane roof at Blue Ridge Technical Center:

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

Unfinished Business – FY 2021-2022 Budget Category Transfer Request of Warren County Public Schools – Dr. Chris Ballenger

Kristen Pence, Chair of the School Board, provided a review of the history of this request stemming from the May 18, 2022 work session of the School Board and the joint work session with the Board of Supervisors on June 14, 2022. The main concern the Board of Supervisors had with the proposed bonuses was that teachers who had resigned would be receiving them as well, approximately ninety (90) employees costing around \$225,000.

Rob Ballentine, WCPS Finance Director, assured the Board that budget transfer and appropriation requests will be provided in a timelier manner in the future. This year (FY 2021-2022) was the first year where the WCPS budget was adopted categorically instead of one lump figure, and it has been a learning process for all.

Dr. Ballenger noted that the category transfer for bonuses was requested because the following staff could not be covered in the existing budget: 8 nurses, 2 attendance counselors, 5 School Board office administrative assistants, 1 maintenance administrative assistant, 10 maintenance technicians, 6 technology integration coaches, 8 computer technicians, 4 County office specialists, 1 maintenance supervisor, 3 psychologists, the Director of Facilities, Director of Technology, Director of Human Resources, Director of Finance, and Assistant Superintendents.

On a motion by Mr. Butler, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the budget category transfer in the amount of \$125,000 to provide bonuses for fifty (50) additional employees who could not be covered in the existing line item budget:

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

Unfinished Business – Sole Source Contract with Frederick Andreae Architects for Architectural Services – Alisa Scott

Ms. Scott reported the County has previously solicited and awarded a contract for professional services to Frederick Andreae Architects for “Architectural Services” on January 10, 2017. The initial term of the contract was for one (1) year from January 10, 2017 through January 10, 2018 and renewable for four (4) additional one (1) year terms or until completion of active projects. As of January 2022, there are a few remaining active projects which the County needs to complete.

The County Attorney, Senior Assistant County Attorney, and Purchasing Officer recommend entering into a sole source agreement with Frederick Andreae Architects. In accordance with Section 2.2-4303 Methods of Procurement, Sole Source procurement is allowed upon written determination that there is only one source practicably available for that which is being procured. It would be unreasonably expensive for the County to switch engineering firms and procure professional services from any other engineering firm when projects are near completion. Upon award, the County will post a notice of sole source award on the Commonwealth of Virginia’s e-procurement portal www.eVA.gov.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the sole source award to Frederick Andreae Architects for \$21,500 for the completion of the New Voting Room, New Staff Building at Bentonville Landfill/Septic Field, and the Senior Center on behalf of Warren County and further authorized the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney:

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

Unfinished Business – Sole Source Contract with Racey Engineering, PLLC for Engineering Services – Alisa Scott

Ms. Scott reported the County has previously solicited and awarded a contract for professional services to Racey Engineering, PLLC, Inc., for “Engineering Services” on July 1, 2014. The initial term of the contract was for one (1) year from July 1, 2014 through June 30, 2015 and renewable for four (4) additional one (1) year terms or until completion of active projects. As of January 2022, there are a few remaining active projects which the County needs to complete.

The County Attorney, Senior Assistant County Attorney, and Purchasing Officer recommend entering into a sole source agreement with Racey Engineering. In accordance with Section 2.2-4303 Methods of Procurement, Sole Source procurement is allowed upon written determination that there is only one source practicably available for that which is being procured. It would be unreasonably expensive for the County to switch engineering firms and procure professional services from any other engineering firm when projects are near completion. Upon award, the County will post a notice of sole source award on the Commonwealth of Virginia’s e-procurement portal www.eVA.gov.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the sole source award to Racey Engineering for \$23,900 for the completion of the Rockland Park Basketball Court, New Staff Building at Bentonville Landfill/Septic Field, and the Senior Center on behalf of Warren County and further authorized the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney:

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

Consent Agenda

1. Road Naming Request for “Hilltop Road” off Pomeroy Road – Emma Rusnak
2. Front Royal-Warren County Airport Commission Appointment(s) – Vicky Cook

3. Shenandoah Farms Sanitary District Advisory Committee Appointment(s) – Ed Daley
4. Front Royal-Warren County Joint Tourism Board Appointment(s) – Taryn Logan
5. Resolution of Support for Virginia Department of Transportation Smart Scale Program Project Applications for FY 2024 – Taryn Logan
6. ~~Item Removed from Agenda~~
7. Festival Permit Request of the Homesteaders of America – Chase Lenz
8. Festival Permit Request of the Warren County Fair Association – Chase Lenz
9. Amend Samuels Public Library Lease Agreement for Amphitheater – Caitlin Jordan
10. Agreement for Samuels Public Library Amphitheater Construction – Caitlin Jordan
11. Sole Source Contract with Hoffman Mechanical for HVAC Maintenance at the Public Safety Building – Alisa Scott
12. Virginia Risk Sharing Association Self-Insurance Pool for Auto, Property, Liability, and Workers' Compensation Insurance – Alisa Scott
13. Contract for Health Insurance Consulting Services – Alisa Scott/Jane Meadows
14. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-01, Ferhan Ture for a Short-Term Tourist Rental – Chase Lenz
15. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-02, Douglas and Christina Alley for Private Use Camping – Matt Wendling
16. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-03, Seung Wan (Brian) Suh for a Bed and Breakfast – Matt Wendling
17. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-04, Valley View Ventures, LLC (Brooklyn Steele) for a Short-Term Tourist Rental – Chase Lenz
18. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-05, Edward Sperry for a Guesthouse – Matt Wendling
19. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-06, Hunter Hughes and Rinku Sinha for a Short-Term Tourist Rental – Matt Wendling
20. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-07, James Elliott, Jr. for a Short-Term Tourist Rental – Chase Lenz
21. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-05-08, Self-Realization Fellowship Church for a Church – Matt Wendling
22. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-06-10, Shahi Foods, LLC for a Food Processing Facility – Matt Wendling
23. Authorization to Advertise for Public Hearing – Z2022-05-02, Warren County Planning Commission to Amend Sections 180-8 and 180-16 of the Warren County Code re: Floodplain Overlay District – Matt Wendling

Mr. Mabe noted that for item #3, the consensus of the Board following interviews was to appoint Bruce Boyle, Matt Devine, and Charles Thilking to the Shenandoah Farms Sanitary District Advisory Committee (SFSDAC) for respective two-year terms beginning July 1, 2022 and ending June 30, 2024 and further appoint Sarah Saber and Todd Tennant for respective staggered two-year terms beginning July 1, 2022 and ending June 30, 2023.

Mrs. Oates further noted that for item #4, the consensus of the Board following interviews was to appoint Jesse McClain to the Front Royal-Warren County Joint Tourism Board.

On a motion by Mrs. Oates, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors approved the Consent Agenda as presented and further scheduled a special meeting to be held at 7:00 PM on Tuesday, July 26, 2022 for the purpose of holding the public hearings as requested to be advertised:

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY, VIRGINIA

WHEREAS, the Virginia Department of Transportation has adopted procedures for evaluating and scoring potential transportation improvement projects submitted by localities through the FY 2024 Smart Scale Program; and

WHEREAS, the Virginia Department of Transportation has opened the Smart Scale Program application process and has requested localities to submit candidate projects to be considered for inclusion in the FY 2024 - 2029 Six Year Improvement Plan; and

WHEREAS, the County of Warren is an eligible locality to apply for transportation improvement projects through the Smart Scale Program; and

WHEREAS, each of the three (3) projects for which the County is applying play important roles in the County's long-range transportation plans and short term safety needs; and

WHEREAS, this Resolution supports the following County of Warren's FY 2024 Smart Scale Program transportation improvement project applications:

Route 55 East / John Marshall Highway – Intersection improvements at High Knob Road to include right and left turn lanes

Route 55 West / Strasburg Road – Intersection improvements at Fort Valley Road / Bucks Mill Road to include right and left turn lanes and drainage structure upgrades

Route 340 South / Stonewall Jackson Highway – VDOT district safety study will identify project improvements on Route 340 South (Stonewall Jackson Highway), which may include shoulder improvements and turn lane improvements from Route 619 (Rivermont Drive) to Route 607 (Rocky Lane)

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Supervisors is supportive of these applications for inclusion in the Virginia Department of Transportation's FY 2024 - 2029 Six Year Improvement Plan.

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY TO APPROVE THE AMENDED AND RESTATED MEMBER AGREEMENT TO JOIN THE VIRGINIA RISK SHARING ASSOCIATION, A GROUP SELF-INSURANCE POOL

WHEREAS, the County of Warren, Virginia desires to protect against liability claims and property losses and to provide for payment of claims or losses for which the County may be liable; and

WHEREAS, the Virginia Risk Sharing Association (VRSA), a group self-insurance pool, has been established pursuant to Chapter 27 of Title 15.2 of the Code of Virginia; and

WHEREAS, it is desirable for the County of Warren, Virginia to join the Virginia Risk Sharing Association Group Self Insurance Risk Pool in order to provide a method of risk sharing for liability claims and property losses.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the County of Warren, Virginia hereby agrees to the member agreement entitled "Amended and Restated Member Agreement" creates a group fund to pay liability claims and property losses of the counties and other localities of Virginia joining the group, and we acknowledge we have received a copy of the supporting documents.

BE IT FINALLY RESOLVED that Edwin C. Daley is authorized to execute the member agreement to join the Virginia Risk Sharing Association Group Self Insurance Risk Pool and to act on behalf of the County of Warren in any other matter relative to the Virginia Risk Sharing Association.

Adoption of the FY 2022-2023 Budget – Matt Robertson

Matt Robertson, Finance Director, reported due to the delay in the Commonwealth of Virginia in adopting a Fiscal Year 2023 budget, Warren County wishes to adopt a baseline budget for FY 2022-2023 with the understanding that additional transfers/appropriations may be necessary after the beginning of the new fiscal year as a finalized State Budget is published.

There are two versions of the FY 2022-2023 Budget presented for approval. Both versions include no changes from the Proposed Budget aside from minor updates in personnel and debt projections. This led to an overall decrease of approximately \$150,000 from the Proposed to Adopted Budget. Other variations are noted below by version:

Version A – The School Operating Fund contribution from the locality is decreased by \$737,739 from their updated June requested amount. That amount is the increased support from the Commonwealth of Virginia in the General Assembly’s approved budget. This would decrease the General Fund spending to \$88,902,705 or a 0.5% increase from the prior year. A total of \$12,371,642 of funding is identified for the Leslie Fox Keyser renovation.

Version B – The School Operating Fund contribution from the locality is decreased by \$3.5 million from their updated June requested amount. An additional \$3.5 million is transferred from the General Fund to the School Capital Improvement Fund for renovations to Leslie Fox Keyser. This would increase the General Fund spending to \$89,640,444 or a 1.5% increase from the prior year. A total of \$15,871,642 of funding is identified for the Leslie Fox Keyser renovation.

Dr. Daley recommended the Board move forward with adopting 75% of the overall School Operating Fund Categories and to meet with the Joint Finance Subcommittee to discuss what funding can be made available to ensure renovations to both Leslie Fox Keyser and E. Wilson Morrison Elementary Schools can be completed.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted Version A of the FY 2022-2023 budget for Warren County with 75% adopted of all categories within the School Operating Fund:

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

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

On a motion by Mr. Mabe, seconded by Mrs. Cook, 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 regarding the Rivermont Volunteer Fire Department:

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

On a motion by , seconded by , 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:

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

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

Adjournment

Mrs. Cullers adjourned the meeting at 12:08 AM.