

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on September 20, 2022 at 7:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Jerome K. Butler (Happy Creek District); Victoria L. Cook (Fork District); Walter J. Mabe (Shenandoah District); also present were Taryn G. Logan, Deputy County Administrator; Jason J. Ham, County Attorney; Mike Berry, Public Works Director; Michael Coffelt, Deputy Public Works Director; Caitlin Jordan, Senior Assistant County Attorney; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; and Emily Ciarrocchi, Deputy Clerk of the Board

Pastor Steve Guizar opened the evening with a prayer.

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 Mr. Butler, and by the following vote, the Board of Supervisors adopted the agenda as presented:

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

Public Comment Period (60 Minute Time Limit)

Lynda McDonough, 1205 High Top Road, said she was concerned about the Chairman's Letter in the summer edition of the Property Owners of Shenandoah Farms, Inc. (POSF) newsletter. She wanted the Board to be aware of what was written and how POSF is placing all the blame surrounding the recent turmoil in the Shenandoah Farms Sanitary District on the Board of Supervisors and County Administration. She understands the importance of freedom of speech, but there needs to be accountability for the spreading of these lies and misrepresentations.

There were no further comments from the public.

Reports – Board Members, County Administrator, County Attorney

Mr. Butler reported he had attended Warren County Finance/Audit Committee meeting on September 14th.

Mrs. Cook thanked Law Enforcement personnel and the leadership of Warren County Public Schools for their response to the called-in threat of an active shooter at Skyline Middle School on September 19th. Fortunately, it turned out to be a hoax that was called in to other

localities in Virginia as well, but she voiced her appreciation for everyone who was involved with staging the response. She then reported the following:

- Attended a training put on by the Sheriff's Office for faith-based organizations
- Attended St. Luke Community Clinic's fundraising gala at Shenandoah Valley Golf Club
- Also attended the Finance/Audit Committee meeting on September 14th where the Committee finished the fund structure of the new financial policy

Mr. Mabe reported the following:

- Attended meetings of the Blue Mountain Property Owners Association (POA) and the Shenandoah Shores POA
- Attended a ministerial association meeting on September 13th
- Attended a Northern Shenandoah Valley Regional Commission meeting on September 15th and listened to a presentation on broadband updates in the region
- Attended a ribbon cutting for Shenandoah Shores Management Company

Mrs. Oates reported the following:

- Congratulated Vibrissa on the soft opening of its second location in Winchester
- Acknowledged the 75th anniversary of Samuels Public Library being renamed in honor of Dr. Bernard Samuels
- Attended a farm crawl hosted by the Frederick County Homesteaders
- Attended a Constitution Day celebration on September 17th hosted by the Shenandoah Christian Alliance and the James Woods Chapter of the Sons of the American Revolution

Mrs. Cullers reported the following:

- Attended the Board of Supervisors Advance on September 13th and discussed future goals
- Met with Dr. Chris Ballenger and Dr. Kristin Pence on September 14th to discuss future goals and scheduled a joint South River District community meeting with Dr. Pence for Sunday, October 16th from 1:00 PM – 3:00 PM at Skyline High School
- Attended the Fire Chiefs Advisory Group meeting on September 14th
- Recognized Todd Jones, Danny Melhorn, Sam Cheshire, and Paul Barber for IT Professionals Day and recognized Kayla Darr, Payroll/Human Resources Coordinator for Payroll Appreciation week last week

Taryn Logan, Deputy County Administrator, presented the following County Administrator's report to the Board:

- There is a slight delay for the closing of the 30 E Jackson Street property. The purchaser's bank is requiring a survey on the property, and the Finance Department will provide an

update to the Board when the amendment to the sale agreement and the completed survey are ready for Board approval.

- A ribbon cutting has been scheduled for the completed Morgan Ford Boat Landing on Thursday, October 13th, time to be determined.
- Echoed Mrs. Cook's appreciation for the Sheriff's Office, Front Royal Police Department, Fire and Rescue Services, and Warren County Public Schools administration staff and teachers for keeping the students safe
- Building Inspections Statistics for August

New Home Starts

County	Town	Total	# in August 2021
12	2	14	24

Permits Issued

2022	2021	Difference
218	273	-55 (-25.23%)

Inspections Completed

2022	2021	Difference
937	1,186	-249 (-26.57%)

- Parks and Recreation
 - Fall Recreation Connection Brochure is online and listed the website; physical booklets will be available in three weeks.
 - The transfer of Park Maintenance to Public Works is effective September 19, 2022. The transfer of Parks Administration Office to the Community Center is scheduled to be complete October 3, 2022.
 - A fence will be installed this week for the at the new Rockland Park basketball court by the Public Works project construction team.
- Department of Social Services – In the month of August, DSS received:
 - 175 SNAP Applications
 - 132 Medicaid Applications
 - 39 TANF Applications
 - 33 Child Care Applications
 - 19 Cooling Applications
 - 1,381 Lobby Visits
 - 1,671 Phone Calls
- On the Services side, for the month of August, DSS received:
 - 75 CPS referrals
 - 31 APS referrals
 - Used \$1,145.32 from the Ministerial Fund
 - Took in \$1,594.20 to the Ministerial Fund

- Provided food to 63 individuals
- 122 EBT cards given
- Job development:
 - New client/referrals in August – 9
 - Total clients to-date – 97
 - Total businesses contacted to-date – 74
- People Power:
 - Amanda McCormick started 8/1/2022 as a Human Services Assistant
- Upcoming Events:
 - One-Stop Resource Center will resume on September 7, 2022 at the Warren County Community Center from 1:00 PM – 4:00 PM
 - DSS Job Fair is scheduled for October 19, 2022
- Department of Fire and Rescue Services
 - Personnel recently responded to a mass-casualty incident (MCI) in mutual aid to Fauquier County as a result of a motor vehicle crash. Crews from Linden were the first to arrive and declared the MCI Event. The Department has received multiple calls from the Fauquier leadership with compliments on the actions of Warren County responders from the three stations that responded. As a direct result of this event, the County's response system was depleted of Advanced Life Support (ALS) response coverage and limited to two available companies (due to other emergencies). A request was made for volunteer staffing and call back ALS Coverage. In total, 15 career and volunteer members reported to their duty stations for temporary staffing. Special thanks to all involved and job well done!
 - The Department continues to prepare for National Fire Prevention Week which will be held from October 9-15, 2022 and will celebrate 100 years of the safety event. Look to the Department's website and social media page to learn more!
 - Staff continues to plan and prepare for the Worlds of Work (WoW!) event being held in conjunction with the regional Fire and Rescue Departments.
 - The seven students participating in the paramedic program have completed all in-classroom activities and have completed several benchmark testing processes! These students will be completing their capstone requirements and then their final testing process! A tentative celebration and recognition event is being planned for October 13th. More details and a formal invitation to come!
 - Staff has been working with the County leadership team to review potential mold safety issues at the Linden Fire Station. Staff has made temporary adjustments to living accommodations and are in the process of developing a plan to provide abatement and corrective actions.

- Staff works to review and make recommendations for all County Fire Stations following a risk management assessment which was completed by the McNeil/Chesterfield Insurers.
- Career and volunteer responders have been taking advantage of the great weather and have been participating in multiple training activities. 27 students recently attended a water rescue course over Labor Day weekend. Special thanks to the instructors and students for making the commitment over the holiday weekend.
- Staff has recently completed an analysis of all grant opportunities and have formulated a plan for application based on the Department needs assessment.
- Tourism Committee – The Destination Marketing Tourism Board has formally been established. The new Board has begun meeting. They have drafted a new Memorandum of Agreement to be between the Town, County, and Discover Front Royal that will be on the Board of Supervisors’ agenda in the near future.
- Development Review Committee – The Development Review Committee met on August 24, 2022 and discussed the following projects:
 - Discussion of County Projects
 - Planning Commission/BOS Applications -
 - Commercial Outdoor Recreation Operation – Text Amendment/CUP
 - Self-Realization Fellowship Church – CUP
 - Royal Oak Estates, LLC Cluster Housing CUP (Denied by BOS)
 - Update on ongoing projects
 - Sheetz Site Plan Review (Linden)
 - Christendom College – Madonna Hall Expansion and Christ the King Chapel Plaza site plans
 - Discussion of Town Projects
 - Hang Ten Carwash (N Royal Avenue)
 - Front Royal Environmental Sustainability Advisory Committee
 - Trails along E. Criser Road and the Happy Creek Walking Trail
 - Route 340/522 Corridor Projects
 - Front Royal Self-Storage – in Zoning review stage with architecture
 - Equus Warehouse Facility – needs Department of Environmental Quality (DEQ) sign-off and needs landscaping for stormwater sign-off
 - Interchange, Phase II – moving ahead
 - Terra Site Constructors – pre-construction meeting has been scheduled
 - Shahi Foods – BOS approved CUP for Food Processing Facility
 - Hahn Transportation (Country Club Road) – additional vehicle storage lot for Front Royal Ford

The Committee will meet again on September 28, 2022, at 10:00 AM.

- Commercial/Industrial Projects – Work continues on the following projects:
 - Interchange warehouse (340/522 and Toray Drive) continues to progress with all aspects of the construction.
 - Equus Warehouse facility – Waiting for the additional permit applications to complete occupancy requirements.
 - Storage facility on 340/522 (east side) continues site work and construction is scheduled to start September 13th.
 - New trucking facility on Winners Court is continuing with site work; the building is constructed, and work continues on the interior.
 - Storage facility on 340/522 (west side) has submitted Erosion & Sediment Control Plans as well as Stormwater Plans to DEQ.
 - Sheetz in Linden has begun to resubmit Erosion & Sediment Control Plans along with Stormwater Plans to DEQ.

Appropriations and Transfers

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

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

Department/Fund	Transfer/Appr.	Description	Amount
Warren County School Board	Appr.	Due to increased enrollment in the Virginia Preschool Initiative Program, an additional \$150,000 in state funding will be received. An additional award of \$42,738 in E-rate funding has been received	\$192,738
E911	Appr.	To appropriate VDEM Grant Funding to cover the cost of Firewall and CHE upgrade 7.8	\$18,039
Fire and Rescue	Appr.	The purpose of this transfer is to appropriate donated funds from the Front Royal Rotary Club and the Apple House Restaurant & Gift shop for the specific purpose for software acquisition to support pre-incident planning	\$10,150
Fire and Rescue	Appr.	To appropriate Insurance Claim Funds for renovations to the Linden Station	\$78,174
County Admin/Finance	Transfer	The purpose of this transfer is to move the Grant Coordinator salary and benefits from County Admin to Finance as part of the new Budget Analyst Position	\$62,329
Fire and Rescue	Transfer	The purpose of this transfer is to transfer the Aid to Locality from the Volunteer Fire & Rescue Budget to the Fire and Rescue Budget	\$88,000

Capital Improvement	Transfer	The purpose of this transfer is to move tourism funds in Special Projects to the CIP Fund to finish the Wayfinding Signage Project	\$160,000
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Approval of Accounts

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

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

Consent Agenda

1. *This item was removed from the agenda prior to the meeting.*
2. Appointments to the Warren County Board of Building Code Appeals – Taryn Logan
3. Appointment to the Warren County Planning Commission – Taryn Logan
4. Nomination for Appointment to the Shenandoah Area Agency on Aging – Taryn Logan
5. Adoption of Concurring Resolution Regarding a Financing by the Northwestern Community Services Board – Katie Heritage/Taryn Logan
6. Approval of the FY 2023 Performance Contract with Northwestern Community Services Board – Katie Heritage/Taryn Logan
7. Additional Appropriation Request of Warren County Public Schools from the FY 2020-2021 Budget Surplus – Dr. Chris Ballenger
8. Appropriation Request of Warren County Public Schools for a Portion of the Final FY 2022-2023 Budget Allocation – Dr. Chris Ballenger
9. Three (3) Additional Appropriation Requests of Warren County Public Schools from Outside Funding Sources – Dr. Chris Ballenger
10. Award for Senior Center Phase I Restrooms and Mechanical Renovations – Alisa Scott
11. Transfer Request and Award Notice for the Warren County Sheriff's Office for the Replacement of Four (4) Vehicles – Alisa Scott/Sheriff Mark Butler

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:

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY REGARDING A FINANCING
BY THE NORTHWESTERN COMMUNITY SERVICES BOARD

WHEREAS, the Northwestern Community Services Board (“the NWCSB”) was created pursuant to Chapter 5, Title 37.2 of the Code of Virginia (1950), as amended, by resolutions of the Common Council of the City of Winchester (“The City”) and the Boards of Supervisors of Frederick, Clarke, Shenandoah, Page, and Warren Counties (collectively “The Counties”); and

WHEREAS, the NWCSB has represented to the City and the Counties that it desires to borrow up to Two Million, Two Hundred Thousand Dollars (\$2,200,000) through a low-interest, 40-year loan with the United States Department of Agriculture (USDA) to fund the acquisition of a certain property located in Page County, Virginia, to be used for an outpatient behavioral health clinic and the payment of the financing costs therefore; and

WHEREAS, approval for the NWCSB to borrow funds described herein by the City and the Counties shall be provided with the concurrence of each of the Member Jurisdictions; and

WHEREAS, Virginia Code Section 37.2-504(11) requires the authorization of the City and the Counties before the NWCSB may borrow money.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Warren County, Virginia as follows:

1. The Warren County Board of Supervisors endorses the financing plans of the NWCSB; and
2. To the extent required by law, if at all, the Warren County Board of Supervisors hereby endorses and further approves any necessary and appropriate actions of the NWCSB to effect such financing; and
3. Under no circumstances shall this Resolution, or the loan, financing or payment of debt service on the funding secured by the NWCSB described herein be deemed to be a lending of the City or the Counties, or constitute a general obligation indebtedness or a pledge of the full faith and credit or taxing power of any of the Member Jurisdictions, nor shall anything herein to therein contained legally bind or obligate the City or the Counties to appropriate funds for the purposes described herein.

Closed Session – Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors entered to a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice regarding the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the “EDA”), the Town of Front Royal, the *EDA vs. Jennifer McDonald, et al.*, the *Town of Front Royal vs. the EDA, et al.*, the *EDA vs. the Town of Front Royal*, other potential claims and litigation

relating to other possible liabilities of the EDA, the recovery of EDA funds and assets, and the outstanding indebtedness of the EDA:

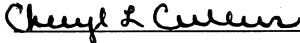
Mabe, Aye; Cook, Aye; Cullers, Aye; Oates, Aye; Butler, Aye

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

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

Adjournment

Mrs. Cullers adjourned the meeting at 8:00 PM.


Chair