

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on October 4, 2022 at 9:00 AM.

Present: Cheryl L. Cullers, Chair (South River District); Delores R. Oates, Vice Chair (North River District); Victoria L. Cook (Fork District); Walter J. Mabe (Shenandoah District); also present were Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Jason J. Ham, County Attorney; Mike Berry, Public Works Director; Mark Butler, Sheriff; Caitlin Jordan, Senior Assistant County Attorney; Joe Petty, Director of Economic Development; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; Sherry Sours, Commissioner of the Revenue; Matt Wendling, Planning Director; Emily Ciarrocchi, Deputy Clerk to the Board; and Roger Bianchini, Royal Examiner

Absent: Jerome K. Butler (Happy Creek District)

Pastor Randy Desantis opened the meeting 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 Mrs. Oates, and by the following vote, the Board of Supervisors adopted the agenda as presented:

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

Public Comment Period (60 Minute Time Limit)

There were no comments from the public.

Report from the Virginia Department of Transportation – Ed Carter

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

Maintenance Activities:

Recently completed the following work:

- Completed the box culvert on Route 735
- Completed mowing on the Secondary Routes
- Removed dead trees on various Routes
- Install pipes on Route 604

- Repaired Shoulders on Route 634
- Graded and added stone to various stabilized roads
- Asphalt skin patched various Routes
- Slope mowed on various Routes

Looking ahead to the month of October and planning for the following work:

- Ditching various Routes
- Continue slope mowing various Routes
- Have a Dry Run getting all snow equipment ready
- Remove dead trees on various Routes
- Mow all Primary Routes within the County
- Grade stabilized roads as needed

Reports – Board Members, County Administrator, County Attorney

Mrs. Cook reported the following:

- Reminded the Board members and citizens of the upcoming Wings and Wheels event at the Airport on Saturday, October 8th
- Participated in the Front Royal/Warren County TRIAD Commission Ceremony on September 29th; the Commission brings together law enforcement, community organizations, and senior groups to help prepare seniors to protect themselves against frauds and scams

Mr. Mabe reported the following:

- Attended a meeting of the Economic Development Authority (EDA) Board of Directors on September 26th
- Attended the civic pride “Revitalize or Die” event on September 27th
- Attended the Development Review Committee meeting on September 28th
- Attended the retirement celebration of Linda Funk with the Warren County Department of Social Services on September 28th
- Also attended the TRIAD Commission Ceremony on September 29th
- Met with representatives from the Property Owners of Shenandoah Farms (POSF) Board to talk about Shenandoah Farms Sanitary District

Mrs. Oates reported the following:

- Also attended the TRIAD Commission Ceremony on September 29th
- Also attended the civic pride “Revitalize or Die” event on September 27th

Mrs. Cullers reported the following:

- Attended the joint Board of Supervisors/School Board Building Committee meeting on September 21st where funding for the remodeling of LFK Elementary School was discussed
- Also attended the retirement celebration of Linda Funk on September 28th
- Attended the 50th anniversary celebration of South Warren Volunteer Fire Department
- Also attended the TRIAD Commission Ceremony on September 29th
- Thanked Human Resources Director Jane Meadows for organizing the flu shot clinic on Monday, October 3rd
- Reminded residents of the South River Magisterial District of the upcoming community meeting with School Board Chair Dr. Kristen Pence for Sunday, October 16th from 1:00 PM – 3:00 PM at Skyline High School

Dr. Daley reported the following:

- Thanked Beth Reavis, consultant for the Drug Court, on gathering the necessary signatures in a short period of time to file an application for funding for the Drug Court stakeholder group to complete necessary training
- Invited Deputy Clerk Emily Ciarrocchi to provide an update on the agenda management software; she reported that iPads were purchased and delivered on Friday, September 30th, and training for the Board portal has been scheduled for the October 11th work session
- The EDA Board of Directors will be holding a Strategic Advance on Friday, October 14th beginning at 8:00 AM
- The County will be taking over operations of fuel sales at the Airport, and Deputy Finance Director Alisa Scott will be discussing the process of fuel sales at the October 11th work session
- The Town/County Liaison Committee meeting has been scheduled for October 20th
- Due to C-CAP relocating to the former EDA property on Kendrick Lane, the Salvation Army is looking for approximately 3,000 square feet of space to use temporarily for its Community Christmas distribution from mid-November to mid-December
- The Front Royal/Warren County United Way has consolidated and merged with the United Way of Northern Shenandoah Valley; there will still be a local office and Program Coordinator for the community and representatives from Warren County on the Board

Approval of Minutes – Regular Meeting of August 16, 2022

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the minutes of its August 16, 2022 regular meeting as presented:

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

Unfinished Business – Authorization to Advertise for Public Hearing – Z2022-05-01, Ordinance to Amend and Re-Ordain Warren County Code Sections 180-8 and 180-28 and to Add and Ordain Sections 180-28.1 and 180-43.3 re: Light Industrial (LI) Zoning District and Data Centers – Matt Wendling

Matt Wendling, Planning Director, said the Board had postponed the authorization to advertise this public hearing until the Planning Commission was able to make a recommendation of approval or denial. Mr. Wendling reported at the September 14, 2022 Planning Commission meeting, the Commission forwarded the proposed text amendment request to the Board recommending approval. After several questions from the Board, there was discussion regarding how the decision is made for a use to be considered by-right in certain zoning districts or by conditional use permit.

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board of Supervisors authorized the proposed zoning ordinance amendment for advertisement for a public hearing:

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

Consent Agenda

1. Refund Request, Erroneous Real Estate Tax Assessment of Warren Memorial Hospital Inc. c/o Shenandoah Realty Holdings, LLC – Sherry Sours
2. Use of Courthouse Grounds for the Veterans Day Presentation, American Legion Post 53 – Adjutant David Kaplan/Emily Ciarrocchi
3. Proposed Meetings Schedule for FY 2023-2024 Budget and Preliminary FY 2024-2025 Budget – Matt Robertson
4. Agreement with the Town of Front Royal and Discover Front Royal for Destination Marketing Organization Services – Taryn Logan/Caitlin Jordan
5. Amendment to the Sale of County-Owned Property Located at 30 E Jackson Street – Alisa Scott
6. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-01, Gillian Greenfield and Richard Butcher for a Short-Term Tourist Rental – Chase Lenz
7. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-02, Elizabeth Saman for a Short-Term Tourist Rental – Matt Wendling
8. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-03, Stacy Lockhart for Private Use Camping (Non-Commercial) – Chase Lenz
9. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-04, Jaden and Tori Walter for a Short-Term Tourist Rental – Matt Wendling
10. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-05, Vesta Property Management (Dorotea Rutherford) for a Short-Term Tourist Rental – Chase Lenz

11. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-06, Vesta Property Management (Chad and Donna Anthony) for a Short-Term Tourist Rental – Chase Lenz
12. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-08-07, Jeffrey Steven Taylor for Private Use Camping (Non-Commercial) – Matt Wendling

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

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

Closed Session – Virginia Freedom of Information Act

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board entered into a closed meeting under the provisions of 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.

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

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

On a motion by Mr. Mabe, seconded by Mrs. Cook, and by the following vote, the Board certified to the best of each member’s knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(3), (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:

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

Adjournment

Mrs. Cullers adjourned the meeting at 12:18 PM.