

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on October 18, 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 Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Jason J. Ham, County Attorney; Mike Berry, Public Works Director; James Bonzano, Chief of Fire and Rescue Services; Mark Butler, Sheriff; Michael Coffelt, Deputy Public Works Director; Caitlin Jordan, Senior Assistant County Attorney; Gerry Maiatico, Fire Marshal; Matt Robertson, Finance Director; Alisa Scott, Deputy Finance Director; and Emily Ciarrocchi, Deputy Clerk of the Board

Pastor Marc Roberson 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; Butler, Aye

Public Comment Period (60 Minute Time Limit)

The Front Royal Unity Masonic Lodge #146 presented its Community Builder Award to Lt. Robbie Seal of the Warren County Sheriff's Office.

There were no further comments from the public.

Reports – Board Members, County Administrator, County Attorney

Mr. Butler reported the following:

- Attended the Wings and Wheels event at the Front Royal/Warren County Airport on October 8th
- Attended the Warren County Finance/Audit Committee meeting on October 12th

Mrs. Cook reported the following:

- Also attended the Wings and Wheels event at the Airport on October 8th

- Participated in a tour of various fire stations in the County on October 5th
- Also attended the Warren County Finance/Audit Committee meeting on October 12th
- Attended the joint Economic Development Authority/Board of Supervisors Strategic Advance meeting on October 14th

Mr. Mabe had nothing to report.

Mrs. Oates reported the following:

- Participated in the Walk for Life event through the Front Royal Pregnancy Center on October 8th; the goal of the event was to raise \$100,000 and over \$125,000 was raised by the end of the Walk
- Also attended the Wings and Wheels event at the Airport on October 8th
- The Festival of Leaves was a successful weekend-long event on October 14th and 15th with over 7,000 people in attendance

Mrs. Cullers reported the following:

- Also participated in a tour of various fire stations in the County on October 5th
- Attended the ribbon cutting ceremony for the recently upgraded Morgan Ford Boat Landing on October 13th

Dr. Daley reported the following:

- Presented the Board with the 2023 Virginia Association of Counties (VACo) Preliminary Legislative Program and reminded the Board of the upcoming VACo Annual Conference from November 13th through 15th
- Reminded the Board of the Town/County Liaison Committee meeting scheduled for Thursday, October 20th at 6:00 PM
- Reviewed the draft 2023 General Reassessment schedule, including the Board needing to make a decision at its November 1st meeting on whether to appoint the contractor (Pearson's Appraisal Service, Inc.) as the Board of Assessors or to create its own Board of Assessors with up to five (5) citizens/property owners
- Building Inspections Statistics for September

New Home Starts

County	Town	Total	# in September 2021
21	6	27	11

Permits Issued

2022	2021	Difference
235	186	49 (20.85%)

Inspections Completed

2022	2021	Difference
868	1,026	-158 (-18.20%)

- Parks and Recreation
 - The move of the administrative office to the Warren County Community Center is complete. The Youth Center remains a rented facility.
 - The Avtex Community Shelter electricity and lighting have been installed and is operational. The shelter will be available for rent in the Spring.
 - Youth Basketball registration is in the final week and numbers are looking very positive.
- Department of Social Services – See Attachment
- Department of Fire and Rescue Services – See Attachment
- Tourism Committee – The Destination Marketing Tourism Board has formally been established. The Board of Supervisors adopted an MOA between the Town, County, and Discover Front Royal. The Town is still considering the MOA. The Tourism Board meets again on October 20th.
- Development Review Committee – The Development Review Committee met on September 28, 2022 and discussed the following projects:
 - Discussion of County Projects
 - Planning Commission/BOS Applications
 - Light Industrial and Data Center – Text Amendment/Conditional Use Permit – Public Hearing
 - Private Use Camping (3) – Conditional Use Permits
 - Short-Term Tourist Rentals (13) – Conditional Use Permits in process includes new applications
 - Commercial Repair Garage (1) – Conditional Use Permit
 - Rezoning – (1) Residential One (R-1) to Agricultural (A) – W.P. Associates Blue Ridge Reserves
 - Rezoning – (1) Commercial (C)/Residential One (R-1) to Industrial (I) – Rushmark Rockland LLC – Cedarville parcels in Corridor and Conditional Use Permit for a building over 50,000 square feet in the Highway Corridor Overlay District; their application has not been deemed complete by County staff
 - Update on ongoing projects
 - Sheetz Site Plan Review (Linden) – Comments resubmitted to Sheetz for revisions; Building Inspections, Erosion and Sediment Control, and Zoning Permits have been submitted and to be reviewed
 - 9700 Court LLC, Self-Storage Site Plan Review – Marlow & Silek Property, Route 340/522 Corridor

- Christendom College Madonna Hall Expansion/Christ the King Piazza Site Plan review
- Discussion of Town Projects
 - Three Right-of-Way Vacations
 - Chris Ramsey Property – Proposal to purchase land from Town near Route 340/522
 - Front Royal Environmental Sustainability Advisory Committee
 - Happy Creek Walking Trail Community Planting Tree Project November 19th
 - Randolph-Macon Academy – Faculty and Staff Townhouse Project
 - Rezoning request for Heptad-Swan Estates
 - Saddle Crest Concept Plan for Planned Residential Development – Tom Sayre property off Shenandoah Shores Road just past railroad crossing
- Route 340/522 Corridor Projects
 - Front Royal Self-Storage – Zoning Permit issued
 - Equus Warehouse Facility – Needs Department of Environmental Quality (DEQ) sign-off and needs landscaping for stormwater sign-off
 - Interchange, Phase II – Moving ahead with construction
 - Terra Site Constructors – Pre-Construction meeting completed – Building Permit in process
 - Hahn Transportation (Country Club Road) – Additional vehicle storage lot for Front Royal Ford; development plan comments submitted back to Greenway Engineering
 - TimberWorks – Fencing and Land Clearing for Construction Storage Yard; site plan reviewed

The Committee will meet again on October 26, 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 – On October 14th, received a submission from the original contractor for a tenant to occupy of building and will be reviewing soon.
 - Storage facility on 340/522 (east side) continues site work and construction that was to begin was delayed by amendments to the foundation construction.
 - New trucking facility on Winners Court is continuing with site work and is getting close to being able to be occupied.
 - Storage facility on 340/522 (west side) Erosion and Sediment Control Plans have been reviewed and comments sent out. Stormwater Plans are being reviewed by DEQ.
 - Sheetz in Linden has again resubmitted Erosion and Sediment Control Plans along with Stormwater Plans to DEQ. Building plans have been submitted at this time as well.
 - Timberworks Expansion – Facility on the corner of Fairground Road and Winners Court has acquired property directly beside their current location and have submitted plans for Erosion and Sediment Control. They have also submitted to DEQ for Stormwater.

Appropriations and Transfers

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

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

Department/Fund	Transfer/Appr.	Description	Amount
County Attorney	Transfer	Transfer funds from Lodging to Miscellaneous Services for a notary renewal	\$45
Fire and Rescue	Transfer	Transfer funds from high budgeted line items into new accounts in anticipation of future expenditures	\$68,500
Sheriff	Transfer	Transfer funds from high budgeted line items into new accounts in anticipation of future expenditures	\$192,000
School Division	Appr	Appropriate the FY 20-21 Surplus of local funding as approved by the BOS on September 20, 2022	\$3,087,026

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 October 2022 accounts as presented:

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

Approval of Minutes

On a motion by Mr. Mabe, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the minutes of its special meeting on August 23, 2022 and of its regular meetings on September 6, 2022 and September 20, 2022:

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

Consent Agenda

1. Authorization to Advertise for Public Hearing – Amend the Fiscal Year 2022-2023 Budget Based on Fiscal Year 2021-2022 Carryover – Matt Robertson
2. Sole Source Contract with Titan Aviation Fuels – Mike Berry/Alisa Scott
3. Award Recommendation for Environmental Engineering Services Firm Fixed Pricing Contract with Labella Associates – Mike Berry/Alisa Scott
4. *This item was removed from the agenda prior to the meeting.*

5. Purchase of (1) 2025 Pierce Enforcer Pumper and Budget Transfer – Chief James Bonzano/ Alisa Scott
6. Purchase of Two (2) Medic Units and Preventative Maintenance – Chief James Bonzano/ Alisa Scott
7. Adoption of Resolution Relating to the Support of the Virginia America 250 Commission Recitals – Matt Wendling

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

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY RELATING TO THE
SUPPORT OF THE VIRGINIA AMERICA 250 COMMISSION TO COMMEMORATE THE 250TH
ANNIVERSARY OF THE AMERICAN REVOLUTIONARY WAR FOR INDEPENDENCE AND THE BIRTH
OF OUR NATION

WHEREAS the Board of Supervisors of Warren County, Virginia (“the County”) is dedicated to the furtherance of economic development and tourism in the County of Warren, Virginia; and

WHEREAS the Virginia America 250 Commission (VA250) was created in 2020 by the General Assembly for the purpose of preparing for and commemorating the 250th anniversary of Virginia’s participation in American independence; and

WHEREAS VA250 has requested that each locality form a committee to aid in planning for the commemoration period; and

WHEREAS Warren County, Virginia will form a local VA250 committee that will plan and coordinate programs occurring within the locality and communicate regularly with VA250; and

WHEREAS the Board of Supervisors wishes to undertake this endeavor with VA250 to promote and commemorate this important historic milestone; and

WHEREAS this Commission will include the recognition of the County’s namesake Major General Dr. Joseph Warren as a major contributor in the fight for freedom and honor his sacrifice in giving his last full measure of devotion to the cause of liberty; and

WHEREAS the Commission will recognize other local soldiers and patriots such Brigadier General Daniel Morgan, Thomas Allen, Daniel Cloud, Samuel Cox, Reuben Finnell, Philip Gatewood, John Honaker, William H. Jacobs, James Markham Marshall, Thomas Marshall, Alexander Mathews, John A. McDonald, Samuel M. Richardson, William Richardson, Henry VanMeter, Jr., and other whose names may have been lost to time but whose deeds will always be remembered.

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

1. The Board of Supervisors hereby desires to support the Virginia America 250 Commission and their efforts to commemorate the 250th anniversary of Virginia's participation in American War for Independence, Liberty and self-governance; and
2. Dr. Edwin C. Daley, County Administrator, will form a committee to aid in the planning for the commemoration period.

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:

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

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

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

Adjournment

Mrs. Cullers adjourned the meeting at 8:42 PM.