

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on February 7, 2023 at 6:30 PM.

Present: Victoria L. Cook, Chair (Fork District); Cheryl L. Cullers, Vice Chair (South River District); Jerome K. Butler (Happy Creek District); Walter J. Mabe (Shenandoah District); and Delores R. Oates (North River District); also present Edwin C. Daley, County Administrator; Jason J. Ham, County Attorney; Mike Berry, Public Works Director; Michael Coffelt, Deputy Public Works Director; Chase Lenz, Zoning Administrator; Alisa Scott, Finance Director; Matt Wendling, Planning Director; and Zach Henderson, Economic Development Office Manager

Closed Session – Sections 2.2-3711(A)(1) and (A)(8) of the Virginia Freedom of Information Act

On a motion by Mrs. Cullers, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors entered into a closed meeting under the provisions of Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for the discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, or resignation of a specific public officer of the public body specifically in regard to the Economic Development Authority Board of Directors and the Shenandoah Farms Sanitary District Advisory Committee.

The Board also entered into a closed meeting under the provisions of Section 2.2-3711(A)(8) for consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice, such legal matter being the Warren County Code of Conduct for Boards, Commissions, and Committees:

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

On a motion by Mrs. Cullers, 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)(1) 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; Oates, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

A pastor from the local Ministerial Association 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

Mr. Ham requested that item H-13 (Authorization to Advertise for Public Hearing – Modification Request for Conditional Use Permit 2020-09-02, Shelly Cook for a Rural Events Facility) be removed from the agenda.

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

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

Public Comment Period (60 Minute Time Limit)

Tracie Lane, 645 Bragg Drive, reminded the Board that she is the current Chair of the Property Owners of Shenandoah Farms (POSF) Board of Directors. She is still interested in scheduling a meeting with POSF and the Board to discuss moving forward even though she has not received a response to her requests for a meeting to-date. Reports from the Board of Supervisors representative and from the Sanitary District Manager are always on the agenda for the POSF meetings, and anyone is welcome to attend.

Tom Sayre, 835 Shenandoah Shores Road, shared a message and prayer with the Board members and wished peace to be with them.

Dennis David, 305 Kendall Court, asked the Board to review delinquent personal property and real estate tax rolls before they consider a tax rate increase.

There were no further presentations from the public.

Reports – Board Members, County Administrator, County Attorney

Mrs. Oates reported the following:

- Delivered a brief presentation on the information available on the Shenandoah Farms Sanitary District webpage on the County website

Mr. Butler reported the following:

- Working with the Airport Commission and excited about its future development
- Receiving calls from constituents regarding the 2023 General Reassessment and wanted to reiterate that the assessment notice is not the tax bill

Mr. Mabe reported the following:

- The Board has started its FY 2023-2024 budget process and will be holding budget work sessions on Thursday evenings
- Attended meetings of the Economic Development Authority Board of Directors over the past month

Mrs. Cullers reported the following:

- During the Town/County Liaison Committee meeting on January 19th, a joint subcommittee was established to look at transportation and infrastructure in the community; Council members Josh Ingram and Amber Morris as well as Mrs. Cullers and Mrs. Oates are on this subcommittee, which met on Friday, February 3rd to discuss stakeholders and the path moving forward
- Reminded citizens that free cargo nets are available in the Planning Department through the Anti-Litter Council to cover their trash loads on their way to the County convenience sites and the Transfer Station
- Walk-in appointments will continue through February 17th for citizens to speak with the Assessors about their 2023 real estate assessment notices
- The memorial service and funeral for Fire Chief Homer Cross was on Tuesday, January 31st, and she thanked Fire and Rescue for conducting a well-executed, touching ceremony

Public Hearing – Ordinance to Establish Board of Equalization Deadlines – Jason Ham/Ed Daley

Mr. Ham reported at its regular meeting on January 17, 2023, the Board of Supervisors nominated three individuals, and one alternate, to the Warren County Circuit Court for appointment to serve on the Board of Equalization. The Board of Equalization shall hear and give consideration to such complaints and equalize such assessments, whether specific complaint be laid or not, if in its judgment, the same be necessary to equalize and accomplish the end that the burden of taxation shall rest equally upon all citizens of the County.

The proposed ordinance sets the deadline for filing applications to the Board of Equalization at May 1, 2023, and provides that the Board of Equalization must finally dispose of all such applications by August 31, 2023. These dates have already been provided to citizens in the tax reassessment notice, and if they are changed then a new notice will need to be sent out.

Mrs. Cook opened the public hearing. There being no comments from the public, Mrs. Cook closed the public hearing.

On a motion by Mr. Mabe, seconded by Mrs. Cullers, and by the following vote, the Board of Supervisors adopted the Ordinance to Establish Board of Equalization Deadlines as proposed:

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

ORDINANCE TO ESTABLISH BOARD OF EQUALIZATION DEADLINES

WHEREAS, pursuant to § 58.1-3378 of the Code of Virginia, the Board of Supervisors of Warren County, Virginia, is authorized to provide by Ordinance the date by which applications to the Board of Equalization must be made by property owners or lessees for relief; and

WHEREAS, also pursuant to § 58.1-3378 of the Code of Virginia, the Board of Supervisors of Warren County, Virginia, may provide by Ordinance the deadline by which all applications must be finally disposed of by the Board of Equalization; and

WHEREAS, after public hearing, the Board of Supervisors desires to set May 1, 2023 as the date by which applications to the Board of Equalization must be made by property owners or lessees for relief, and August 31, 2023 as the deadline by which all applications must be finally disposed of by the Board of Equalization.

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

- (1) The date by which applications to the Board of Equalization must be made by property owners or lessees for relief is hereby established as May 1, 2023.
- (2) The deadline by which all applications must be finally disposed of by the Board of Equalization is hereby established as August 31, 2023.

This Ordinance shall be effective on and from the date of its adoption.

Reports – Board Members, County Administrator, County Attorney (continued)

Mrs. Cook reported the following:

- Also thanked Mrs. Oates for her presentation
- Thanked Sheriff's Office personnel for the work they do in the community

Dr. Daley reported the following:

- Reviewed the dates, times, and subjects for the upcoming FY 2023-2024 budget work sessions

Mrs. Oates asked about the valuations for vehicles for the 2023 personal property taxes, and Dr. Daley said the County lowered the valuation standard from "Clean" to "Average" for 2022 and will continue to use this valuation standard for 2023.

Approval of Minutes

On a motion by Mrs. Cullers, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the minutes of its regular meeting of January 3, 2023, its special meeting of January 10, 2023, and its regular meeting of January 17, 2023 as presented:

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

Unfinished Business – Lease Agreement at the Front Royal-Warren County Airport with Michael W. Christensen – Alisa Scott

Alisa Scott, Finance Director, reported there were minor revisions to the lease agreement concerning snow removal, and since the public hearing held on January 24, 2023, these changes have been reviewed and agreed upon by both the County and Mr. Christensen. Mrs. Cullers indicated she would like to have a work session in the future to learn more about the lease agreement process with the Airport.

On a motion by Mr. Butler, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the lease agreement with Michael W. Christensen as proposed 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; Oates, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

Consent Agenda

1. Designation of Deputy Zoning Administrator (Zoning Officer) – Matt Wendling
2. Removed for further discussion
3. Warren County Code of Conduct for Boards, Commissions, and Committees – Ed Daley
4. Road Name Change Request from “Parkside View Drive” to “Labs Leap Lane” – Emma Rusnak
5. Removed for further discussion
6. Additional Appropriation Requests of Warren County Public Schools – Ed Daley/Dr. Chris Ballenger
7. Additional Appropriation Request of Warren County Public Schools for One (1) Additional School Bus – Ed Daley/Dr. Chris Ballenger
8. Reappropriation Request of Warren County Public Schools – Ed Daley/Dr. Chris Ballenger
9. Approval of the Capital Asset Replacement and Renewal Fiscal Policy Guideline – Alisa Scott
10. Modification Request for Conditional Use Permit 2017-07-04, Eric Hollister Williams and Paul Bell for a Short-Term Tourist Rental Located at 2892 Gooney Manor Loop and Identified on Tax Map 47 as Lot 9D – Chase Lenz
11. Authorization to Advertise for a Public Hearing - Airport Lease Agreement with Tom Schwietz – Alisa Scott
12. Authorization to Advertise for a Public Hearing – Airport Lease Agreement with Shane Neitzey – Alisa Scott

13. *Removed from the agenda at the beginning of the meeting by unanimous consent*
14. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-12-01, Remo Kommnick for a Short-Term Tourist Rental – Chase Lenz
15. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-12-02, Robert Chevez for a Short-Term Tourist Rental – Matt Wendling
16. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-12-03, Gabriel Gaillard and Natasha Nyirongo-Gaillard for a Short-Term Tourist Rental – Chase Lenz
17. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-12-04, Nicholas E. and Cara S. Achterberg for a Short-Term Tourist Rental – Chase Lenz
18. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-12-05, Shenandoah Shores Management Group, LLC for a Short-Term Tourist Rental – Chase Lenz
19. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-12-06, Jose L. Canales for a Short-Term Tourist Rental – Matt Wendling
20. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-12-07, Natalya Scimeca for a Short-Term Tourist Rental – Chase Lenz

Mrs. Cullers requested the removal of item 2 for further discussion, and Mrs. Cook requested the removal of item 5 as well.

On a motion by Mrs. Cullers, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the Consent Agenda as amended with items 2 and 5 removed for further discussion:

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

Approval of the 2023 Board Goals List – Ed Daley

Mrs. Cullers pulled this item because one of her top priorities, the updating and revising of the County's Handbook through the Human Resources Department, did not score highly enough with the other Board members to be placed on the goals list. She expressed her desire to create a committee to help facilitate these updates.

On a motion by Mr. Mabe, seconded by Mrs. Cullers, and by the following vote, the Board of Supervisors adopted the 2023 Warren County Board of Supervisors Goals, Projects, and Programs list as proposed:

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

2023 Emergency Medical Care and Transport Fee Schedule Changes – Brian Foley

Brian Foley, Cost Recovery Manager, reported each year, EMS Management Consultants, the County's ambulance billing company, conducts an Annual Business Review with their clients. We recently completed this review, and one of the recommendations presented was an opportunity to improve our Cost Recovery revenue by modestly increasing our emergency medical service fees to 150% of the Medicare Fee Schedule. The last Board-approved EMS fee increase was June 2021. See below:

<u>EMS Service</u>	<u>2023 Medicare Allowable</u>	<u>Current Fee</u>	<u>150% of Medicare</u>	<u>Proposed Fee</u>	<u>Increase Amount</u>
BLS (A0429)	\$434.55	\$602.00	\$651.83	\$652.00	\$50.00
ALS1 (A0427)	\$516.02	\$715.00	\$774.03	\$774.00	\$59.00
ALS2 (A0433)	\$746.88	\$1,034.00	\$1,120.32	\$1,120.00	\$86.00
Mileage (1-17 miles)	\$8.80	\$18.00	\$19.80	\$20.00	\$2.00
Mileage (18+ miles)	\$8.80	\$12.00	\$13.20	\$13.00	\$1.00
Oxygen (A0422)	N/A	\$50.00	N/A	\$50.00	\$0

The recommended fee schedule changes are customary and consistent with the 2023 Medicare allowable charges for rural Emergency Medical Service providers. These changes are expected to generate approximately \$30,000 annually in Cost Recovery revenue. Upon approval, the Department of Fire and Rescue, Standard Operating Guideline, Subject: Billing Program, Billing Policy #2 will be updated as appropriate. The Fire Chief and County Administrator are aware of these fee schedule changes.

On a motion by Mr. Butler, seconded by Mrs. Cullers, and by the following vote, the Board of Supervisors approved the proposed emergency medical care and transport fee schedule change to be effective the first day of the month following the month of approval (March 1, 2023):

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

Additional New Business

Mrs. Cullers reiterated her desire to create an ad-hoc committee to review the County's various departmental policies and procedures. The consensus of the Board was to move forward with the creation of this committee with Mrs. Cullers as the Chair.

Adjournment

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