

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on April 18, 2023 at 7:00 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; Jane Meadows, Human Resources Director; Alisa Scott, Finance Director; Caitlin Jordan, Senior Assistant County Attorney; Zach Henderson, Deputy Clerk of the Board

**Moment of Silence – Opening with Prayer:**

*Pastor DeSantis gave an opening prayer.*

**Adoption of Agenda – Additions or Deletions:**

Ms. Cullers motioned to remove Item 2 on the consent agenda, “Purchase of 2026 Pierce Enforcer Pumper from Atlantic Emergency Solutions” to be brought back up at another date. Ms. Oates seconded and the motion passed with the following roll call:

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

**Public Comment Period (60 Minute Time Limit):**

Clare Schmitt introduced herself as the newly appointed Chair and President of Discover Front Royal, and expressed her gratitude to the previous chair and board of directors for getting DFR to where they are now, and further expressed her enthusiasm for DFR moving forward.

**Reports – Board Members, County Administrator, County Attorney:**

Mr. Butler reported the following:

- He and Ms. Cook visited the Library in response to a concern from a Constituent and met with Library staff to establish a way forward based on said concern.
- He also rode with the Fire Department and spent a half-day with Lieutenant Rick Farrell and expressed his gratitude for the time spent and also emphasized the hard work all public safety workers do daily.

Mrs. Cullers reported the following:

- On April 5<sup>th</sup> she attended the Town/County Transportation Committee meeting and had representatives from VDOT speak as well.
- On April 6<sup>th</sup> she attended a DEQ public hearing in Luray regarding a campground that wants to build a water treatment plant with the intent on releasing 50,000 gallons of purified water into the river.
- On April 8<sup>th</sup> she attended the Spaghetti Dinner that North Warren Fire & Rescue.
- On April 10<sup>th</sup> she attended the monthly meeting in Browntown and encouraged everyone to attend the Red Bud festival this upcoming weekend.
- On April 11<sup>th</sup> she attended a meeting in Berryville and met with Senator Mark Warner to hear from local farmers regarding the Agriculture Bill and expressed her concerns.
- On April 14<sup>th</sup> she and the rest of the Board attended the Ribbon cutting at the new Christendom Chapel.

- On April 16th she was invited to the girls' softball league opening and over 200 athletes and expressed her enjoyment on women's athletics on a local level.

Mrs. Oates reported the following:

- On April 5<sup>th</sup>, in response to an email from Speaker Gilbert, who needed a rural representative on the joint committee for Pandemic Response and Preparedness, she attended a meeting in Richmond regarding organization and setting guidelines. She was also appointed to the sub-committee for Government and Regulatory Systems.
- On April 11<sup>th</sup> she also attended Senator Warner's presentation and discussed the struggles of local farmers.
- On April 8<sup>th</sup> she attended the Spaghetti Dinner that North Warren Fire & Rescue.
- On April 12<sup>th</sup> she went to the Small Business Freedom Alliance in Winchester, which was formed during the Pandemic as a way to limit the Government's influence on small businesses.
- On April 14th she attended the Ribbon cutting at the new Christendom Chapel and spoke highly of its design and architecture.
- On April 14<sup>th</sup> she attended Barks and Bags to support their cause.
- On April 16th she was invited to the girls' softball league opening day and echoed Ms. Cullers' thoughts and sentiments.

Mr. Mabe reported the following:

- On April 8<sup>th</sup> he attended the North Warren Spaghetti Dinner
- On April 10<sup>th</sup>, attended the Blue Mountain Homeowners Association and represented the County.
- On April 13<sup>th</sup>, participated in the Budget Discussion with the School Board and other members of the BOS.
- Also attended the Christendom college ribbon cutting ceremony.
- On April 17<sup>th</sup>, had a meeting with Shenandoah Farms.

Mrs. Cook reported the following:

- She emphasized the meeting with the School Board involving the School's budget for FY 2024, and met with the sub-committee for a further deep dive.
- She met with the Warren County Finance/Audit Sub-Committee and was joined by the Fire Chief to discuss how to increase efficiency.
- Also attended the Christendom college ribbon cutting ceremony.

Dr. Daley reported the following:

- Dr. Daley reminded the Board of the Town County Liaison meeting to be held Thursday the 20<sup>th</sup> at 6:00PM. Furthermore, on April 25<sup>th</sup> the Board will have it's public hearings for the current Conditional Use Permits.
- On May 2<sup>nd</sup> the Board will have a hearing on all tax rates as well as tax relief for the elderly and approve both. If approved then on May 3<sup>rd</sup> the rates will go to the Commissioner and then to the Treasurer to be finally mailed on the 17<sup>th</sup> for a due date of June 22<sup>nd</sup>.

Mr. Ham had nothing to report at the time.

## Appropriations and Transfers

On a motion by Mr. Mabe, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the appropriations and transfers as presented and shown below for April 2023:

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

|                                                     |               |                                                                                                                                                                                                                                              |            |
|-----------------------------------------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Planning and Zoning                                 | Transfer      | Transfer of funds within Planning & Zoning to renew GIS Software                                                                                                                                                                             | \$ 9,375   |
| Sheriff                                             | Appropriation | Appropriating funds received from the Sheriff's auction                                                                                                                                                                                      | \$ 302     |
| Sheriff                                             | Appropriation | Appropriating funds received for Prisoner Extradition                                                                                                                                                                                        | \$ 8,368   |
| Parks & Recreation/<br>Maintenance of Bld & Grounds | Appropriation | Front Royal/Anti Litter Council donated funds to purchase animal resistant trash receptacle, dog waste stations, trash tote containers, and steel dome receptacle lids                                                                       | \$ 5,656   |
| E-911                                               | Appropriation | Grant Funds received as a reimbursement for training                                                                                                                                                                                         | \$ 588     |
| Sheriff                                             | Trans/Apps    | Appropriate and transfer Insurance claim funds for Sheriff's office vehicles involved in accidents                                                                                                                                           | \$ 16,421  |
| Information Technology                              | Transfer      | Reallocate funds to Maintenance Service Contracts for what was expected to be considered Books and Subscriptions                                                                                                                             | \$ 26,000  |
| Warren County Airport                               | Trans/Apps    | Appropriation of additional Revenues recieved & movement of funding due to new chart of account usage. Additional Revenue applied to fuel and maintenance supplies. WC now manages the fuel and the Airport is in need of a new fuel system. | \$ 164,637 |
| Board of Supervisors                                | Transfer      | To Reallocate funds within the the Board of Supervisors Budget to ensure all line are under budget by the end of Fiscal year 2023                                                                                                            | \$ 11,100  |
| County Administration                               | Transfer      | To reallocate funds within the County Administrator Budget to ensure all lines are under budget by the end of Fiscal year 2023                                                                                                               | \$ 16,050  |
| Public Works                                        | Trans/Apps    | Transfer and Appropriate for Emergency Mold Remediation at the Court House                                                                                                                                                                   | \$ 65,000  |
| Social Services                                     | Trans/Apps    | To Appropriate/Transfer insurance claim reimbursements to Social Services for vehicle repair                                                                                                                                                 | \$ 4,492   |
|                                                     |               | <b>Total</b>                                                                                                                                                                                                                                 | \$ 327,989 |

## Approval of Accounts:

Ms. Cullers stated that she has seen improvement on the descriptions, however there are still departments that are lacking, but did emphasize that they are getting better.

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

Mabe, Aye; Oates, Aye; Cook, Aye; Cullers, No; Butler, Aye.

## Approval of March 28<sup>th</sup> Minutes:

On a motion by Mr. Mabe, seconded by Ms. Oates, and by the following vote, the Board of Supervisors approved the March 28<sup>th</sup> Meeting Minutes as presented:

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

## Consent Agenda:

1. Additional Appropriation Request of Warren County Public Schools – Ed Daley, County Attorney
2. Purchase of 2026 Pierce Enforcer Pumper from Atlantic Energy Solutions – Alisa Scott, Finance Director, James Bonzano, Fire Chief
3. 2023-2024 United Healthcare Insurance Renewal – Jane Meadows, Human Resources Director
4. Summer Internships – Jane Meadows, Human Resources Director
5. FOIA Officer(s) Designation – Jane Meadows, Human Resources Director
6. Authorization to Advertise – Ordinance Delaying Penalties and Interest Upon Certain Local Taxes – Ed Daley, County Administrator – Removed for discussion.
7. Authorization to Advertise Public Hearing – Building Inspection Fees – David Beahm
8. Authorization to Advertise Public Hearing – Planning, Zoning and GIS Department Fees – Matt Wendling, Planning Director
9. Approval of Generator Installation at 465 West 15<sup>th</sup> Street VA Department of Health – Ed Daley, County Administrator
10. Award Recommendations – Alisa Scott, Finance Director – Removed for Discussion.
11. Citizen Appointment to the Front Royal/Warren County Joint Tow Board – Zachary Henderson, Deputy Clerk – Removed for Discussion
12. Award Recommendations – DSS Vehicle – Alisa Scott, Finance Director – Removed for Discussion
13. Tax Relief for the Elderly – Sherry Sours, Commissioner of Revenue – Removed for Discussion

Ms. Cook removed the following items for discussion:

- #6 Authorization to Advertise – Ordinance Delaying Penalties and Interest Upon Certain Local Taxes – Ed Daley, County Administrator
- #10 Award Recommendations – Alisa Scott, Finance Director
- #11 Citizen Appointment to the Front Royal/Warren County Joint Tow Board – Zachary Henderson, Deputy Clerk
- #12 Award Recommendations – DSS Vehicle – Alisa Scott, Finance Director
- #13 Tax Relief for the Elderly – Sherry Sours, Commissioner of Revenue

On a motion by Ms. Oates, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the consent agenda with the exception item 6 and items 10-13:

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

### **Item 6 - Authorization to Advertise – Ordinance Delaying Penalties and Interest Upon Certain Local Taxes – Ed Daley, County Administrator**

Dr. Daley explained that this Ordinance would change the due date to June 22<sup>nd</sup> to allow County residents additional time to both receive and pay their bills with no 10% penalty.

Ms. Oates emphasized that, like last year, the extended due date will not be on the bill itself and will still show a due date of June 5<sup>th</sup> and that the extended deadline will need to be heavily advertised to avoid any confusion.

On a motion by Ms. Cullers, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the Ordinance delaying penalties and interest upon certain local taxes:

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

#### **Item 10 – Audit Services Awards – Alisa Scott, Finance Director**

Ms. Scott stated that the Finance and Purchasing Office was required to issue a solicitation for Audit Services as a contract final term has now been reached. The procurement method used was competitive negotiation and the County received two sealed proposals, and an evaluation team met with both firms. Ultimately it was decided that Robinson, Farmer, Cox would continue to provide Audit Services for the County

Ms. Oates asked if there was a way to include a firm deadline for the Audit completion in the contract. Within the request for proposal, the County put a deadline of November 30<sup>th</sup> as the date that the ACAFIR would be completed, which will require a strong effort on both the County and the Auditors.

Ms. Scott and Dr. Daley both emphasized the importance of establishing a clear communication with the Auditors as to what is needed and when, and what the County needs to do on our end.

On a motion by Mr. Mabe, seconded by Ms. Oates, and by the following vote, the Board of Supervisors approved the award for contracted services for Robinson, Farmer, Cox Associates. Furthermore, to authorize the Chair and the 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.

#### **Item 11 – Citizen Appointment to the Front Royal Tow Board**

Dr. Daley stated that this is a joint appointment and further discussion is advised with the Town Council, and no action is needed at this time.

#### **Item 12 – Vehicle Award: DSS Vehicle**

Ms. Scott stated that the Department of Social Services submitted a request to purchase a vehicle to perform in house inspections and was determined that the Commonwealth's Co-operative contract E194-95022 offered the most competitive pricing through Carter Myers Automotive for one 2023 Nissan Murano for \$32,760.

Ms. Cook asked if there was a budget line item for this purchase and where the funds will be coming from, and Mr. Martz stated that the Board approved the purchase for two vehicles for the current fiscal year and this is a request for just one. For the sake of future clarification, Ms. Cook asked if the budget line item can be included in the information for future purchases.

On a motion made by Ms. Oates and seconded by Ms. Cullers, and the following vote, the board approved the award and purchase order to Carter Myer automotive for one 2023 Nissan Murano for \$32,60. Furthermore, to authorize the Chair and the 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; Cullers, Aye; Cook, Aye; Oates, Aye; Mabe, Aye

#### **Item 13 – Tax Relief for the Elderly**

Mr. Ham presented on Ms. Sours' behalf and stated that traditionally Warren County has provided tax relief for individuals over 65 and disabled, and then summarized the financial and proprietary requirements.

He went on to explain that Warren County code 160-14 & 15 state that part of the eligibility requirements for 2023 is that applicants must have applied by April and make less than \$35,000. However, additional tax relief can be offered to those who have applied and are eligible. What was suggested for 2023 is:

- \$0 - \$20,000 would receive 100% relief
- \$20,001 - \$25,000 would receive 100% relief
- \$25,001 - \$30,000 would receive 100% relief
- \$30,001 - \$35,000 would receive 75% relief

Mr. Ham emphasized that this will be a single motion but two parts, one for this year and one for the future that focuses on changing the eligibility requirements so people can make more money and still be eligible for relief.

Ms. Oates asked if the Board votes for either option then they still would not be able to capture the results in the current tax year due to the deadline passing.

Mr. Ham stated that it was mostly true, however both options include changes to the amount of exemptions and would include increased tax relief for the current year. However, this is only applicable to those who are eligible and have already applied.

On a motion by Mr. Mabe and seconded by Ms. Oates, and the following vote, the Board approved that the County Administrator be authorized to advertise for public hearings County Code Section 160-17 for implementation in 2023 and Option #2 for implementation in 2024.

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

#### **Item I: Adoption to Set percentage of Tax relief for Personal Property (Motor Vehicles) for 2023 Tax Year**

Dr. Daley presented on Ms. Sours' behalf and stated that the percentage has been consistently dropping due to the State not keeping up to their obligation and therefore the percentage is now down to 25%.

Ms. Oates provided context by stating that under previous legislation, the state agreed to provide tax relief for citizens and a percentage of their total personal property. Originally, it was 70% at its highest which meant 30% was paid by the individual. However, the state has been slowly reducing its portion over time, and this is a number that is set by the State and not the County.

On a motion by Ms. Oates and seconded by Ms. Cullers, and the following vote, the Board of Supervisors approved and adopt a resolution to set a percentage of tax relief for the 2023 year tax year at 25% that is anticipated to exhaust personal property tax relief funds provided to Warren County by the Commonwealth of Virginia as authorized by Warren County Code Section 160-109.

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

#### **Item J: Adoption of Resolution Approving Receipt and Disbursement of Virginia Outdoors Foundation (VOF) Preservations Trust Fund – Easement Assistance Funds, Partner Agreement between VOF and Warren County,**

**Pass-Through Funding Agreement with Virginia Conservation Council, Inc. (VCC) and Shane Cook Gift Conservation Easements expenses.**

Mr. Ham reminded the Board that the County accepted three deeds of conservation easement back in December. Furthermore, there is a state agency that wanted to grant Mr. Cook \$30,000 to reimburse the cost of his lawyer and accounting fees etc. The agency was statutorily required to give that money to the County and then provide it to Mr. Cook. However, the County cannot simply give money to an individual therefore what can be done is give the money to a charity.

Mr. Ham then proposed a resolution that will authorize the signing of two agreements. One is between the County and the Virginia Outdoors Foundation (VOF) to except these grants funds and then pass them to Mr. Cook through the intermediary. The second agreement is with the intermediary foundation (The Virginia Conservation Council) where the County will donate these funds under the Virginia Statue 15.2-953.

On a motion made by Ms. Cullers, seconded by Mr. Butler, and the following vote, the Board of Supervisors approved the Adoption of Resolution Approving Receipt and Disbursement of Virginia Outdoors Foundation (VOF) Preservations Trust Fund – Easement Assistance Funds, Partner Agreement between VOF and Warren County, Pass-Through Funding Agreement with Virginia Conservation Council, Inc. (VCC) and Shane Cook Gift Conservation Easements expenses.

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

**Item K: Purchase of Real Property Located at 4561 John Marshall Hwy. (Fire Station #4) and Certain Tangible Personal Property.**

Ms. Jordan state that the Linden VFD and the County have been in discussion for several months about the County purchasing Fire Station #4 located at 4561 John Marshall Highway and Certain Tangible Personal Properties.

Ms. Cook asked if the purchasing price has changed in the discussions over time. Dr. Daley stated that the purchase price was a combination of what was owed for a number of different items to clear everything and have a clean title.

On a motion by Mr. Butler, seconded by Ms. Cullers, and the following vote, the Board of Supervisors approved the purchase of Real Property Located at 4561 John Marshall Hwy, Linden Virginia, also know as Tax Map Parcel #31-18D (Fire Station #4) and Certain Tangible Personal Property. Furthermore, to authorize the Chair and the County Administrator, either of whom may act to execute all necessary documents that have been approved by the County Attorney or the Senior Assistant County Attorney to purchase real property and identified tangible personal property for a purchase price not to exceed \$319,909.12 on behalf of the County.

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

**Item L: Authorization to Advertise Public Hearing FY23-24 Proposed Tax Rate(s)**

Dr. Daley stated that the equalized rate is \$0.49 and Ms. Cullers asked if that would keep the County flat with Revenue Income.

Dr. Daley explained that what the Commissioner's office did was take the previous year's total real estate tax levy of \$31M 740 thousand then multiply that by 1.01 to get \$32M 41 thousand, then take the total taxable assessment which is 6.9 Billion then subtract the deferred land use which is \$382M then subtract another \$50M from that and new construction which is \$69M leaving a net of \$6 billion and \$530M, then divide that by the \$32 million which comes out to 49.06. It was recommended to drop the .06 to keep that rate as low as possible.

Ms. Oates then brought up a concern regarding 335 houses that could be built, and the Proffer rate will not be enough to properly serve its infrastructure from a school and public safety perspective, and the County has made every effort to remain revenue neutral.

On a motion made by Ms. Cullers and seconded by Ms. Oates, and the following vote, the Board approved the authorization of a public hearing at 6:00 PM Tuesday May 2<sup>nd</sup> to consider the enclosed tax rates for the 2023 year including a real estate rate of \$0.49.

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

#### **M: Addition of Human Resources Associate Position, Job Description and Grade Placement**

Ms. Meadows stated that she would like to combine the HR Associate Position and the open Admin and Risk manager position, and that it would be backfilling into the current vacancy and removed from the upcoming Budget Request from HR.

Ms. Oates had a concern regarding the FOIA officer position, because often those are filtered through legal to ensure proper compliance. Ms. Meadows stated that the office needs two FOIA officers to handle the volume of requests and is currently handled by the County Attorney's office and Ms. Shelton, with Mr. Henderson as backup. This new position would become the second FOIA officer with Ms. Shelton moving forward.

Dr. Daley emphasized that Mr. Ham should not be designated as FOIA officer but take a more supervisory and management role.

On a motion made by Ms. Oates, seconded by Mr. Mabe, and the following vote, the Board approved the adoption of the Human Resources Associate Grade 11 position, job description with County compensation.

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

#### **Any new business:**

There was no additional new business discussed at this time.

#### **Adjournment:**

On a motion by Mr. Mabe, and the following vote, the Board approved to adjourn the meeting at 8:31 PM

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



