

At a Regular Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on September 05, 2023, at 7:00 PM.

Present: Victoria L. Cook, Chair (Fork District); Cheryl L. Cullers, Vice Chair (South River District); Walter J. Mabe (Shenandoah District), and Delores R. Oates (North River District); also, Dr. Edwin C. Daley, County Administrator; Jason Ham, County Attorney; Caitlin Jordan, Senior Assistant County Attorney; Joe Petty, Director of Economic Development & Tourism; Brian Foley, Cost Recovery Manager; Gerry Maiatico, Assistant Fire Chief; Zach Henderson, Deputy Clerk of the Board

Present Remotely: Jerome K. Butler (Happy Creek District)

Call to Order:

Ms. Cook called the meeting to order at 7:09 PM. Mr. Butler stated that he is participating remotely from Gatlinburg TN while on vacation with his family. The meeting was then opened with a prayer from Pastor James Boyette.

Adoption of Agenda:

On a motion made by Ms. Cullers, seconded by Mr. Mabe, and the following vote, the Board adopted the agenda, amended to include consideration of an amended agreement regarding County Support of Authority Operations as item L.

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

Public Comment Period:

The following is a list of citizens who spoke voicing their support for Samuels Public Library and its content, funding etc.

- Kelsey Lawrence
- Stevi Hubbard
- Cameron Hubbard

The following is a list of citizens who spoke voicing their concerns regarding Samuels Public Library and its content, finding etc.

- Colleen DeLaFleur
- Steven Osvatics
- Juliana Lancaster
- AJ Lancaster
- Campbell Sproul
- Justin Kuplack
- Anne Miranda
- Josh Phillips
- Patrick John
- Megan Marrazzo
- Sloane Casey
- Maria O'Brian
- Jeanne Miller
- Matt Marrazzo
- Molika Beer

The following is a list of citizens who spoke voicing concerns regarding County matters not pertaining to Samuels Public Library.

- Naomi Egger – Voiced concerns regarding transgender ideology, and gender identity for children.

Board Reports:

Mr. Butler reported the following:

- Met with several constituents regarding issues in the County.

Ms. Cullers reported the following:

- On August 19th attended a fundraiser dinner sponsored by Rivermont Fire Department.
- On August 23rd attended the Warren County Fire and Rescue Promotion Ceremony.
- On August 31st the Warren Coalition had an overdose awareness vigil and spoke appreciatively of that
- Mentioned Carol Tobin's retirement and highlighted her career.
- Commented on the Library and that everyone is acting in good faith for a resolution.

Ms. Oates reported the following:

- Spoke on behalf of the library and called for unity on both sides of the library debate citing similar end goals and desires.
- Mentioned Carol Tobin's retirement and highlighted her career.

Mr. Mabe reported the following:

- Spoke on behalf of the library and emphasized the difficult decisions that come with change and policy and hopes to get everything back on track with the library.

Ms. Cook reported the following:

- Attended the farewell event for Carol Tobin.
- Spoke on behalf of the library and stated that the current MOA's are being circulated and available for public view, and are continuing to negotiate with Samuel's.

Dr. Daley reported the following:

- Recommended that the Board move the public hearing items to the October 3rd Regular Meeting since there were only 3 items scheduled.
- Commented on the Employee Wellness program, and included information from Optima Health and encouraged the Board to review the programs and speak to Ms. Meadows should they have any questions.

Mr. Ham had no report for this meeting.

Approval of Minutes (7.25.23):

On a motion by Mr. Mabe, seconded by Ms. Oates, and the following vote, the Board approved the minutes as presented.

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

Consent Agenda:

1. Board Refund Letter - US Bank National Association
2. Modification Request for Name Change to Conditional Use Permit 2016-10-02, Erkin Tentshev for a Short-Term Tourist Rental.
3. Modification Request for Name Change to Conditional Use Permit 2016-10-03, Erkin Tentshev for a Rural Events Facility.
4. Award Recommendation: Pest Control and Exterminating Services
5. Authorization to Advertise for Public Hearing - Conditional Use Permit 2023-07-02 - Shannon McCartney for a Short-Term Tourist Rental

6. Authorization to Advertise for Public Hearing - Conditional Use Permit 2023-07-03 - Elizabeth (Beth) Waller for a Short-Term Tourist Rental
7. Approval of the FAA Grant, DOAV Grant, and Talbert & Bright work authorization regarding the Environmental Assessment Aviation Easement Acquisition, Obstruction Removal, and Medevac Facility

On a motion by Ms. Oates, seconded by Mr. Mabe, and the following vote, the Board approved the Consent Agenda as amended with items #5 and #6 being moved to October 3rd.

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

Resolution – Warren County Disaster Relief:

Mr. Foley presented to the Board on behalf of Core Childs of the Warren County Extension Office seeking permission to notify the Governor that Warren County has declared an agricultural disaster due to the drought, and furthermore, ask for financial relief aid to farmers that have been affected. The lack of rainfall has caused yield losses of 45% for hay, 30% loss for corn, 25% loss for soybean, and a 35% loss for pasture grazing dates and yield losses will continue to escalate, unless there's a significant rainfall soon.

On a motion by Ms. Cullers, seconded by Ms. Oates, and the following vote, the Board approved the Warren County Disaster Relief Resolution to make a formal request of the State FSA Executive Director that warren county be declared an agriculture disaster area, and that any and all appropriate state and federal disaster relief and assistance be made available to the farmers in Warren County.

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

Rivermont Volunteer Fire Department, Inc. - Financial Agreement - Community Leasing Partners - Division of Community National Bank:

Mr. Maiatico stated that the Rivermont Volunteer Fire Department approached Fire and Rescue asking for assistance in finding a funding agreement through Community Leasing Partners, a division of Community National Bank. This is a financing firm that the County is familiar with and has been used to secure financing on multiple pieces of apparatus in the past. This partnership requires a letter of support from the locality in which they provide the service as well as a Public Hearing notice to be put out to the public. The recommendation to staff is to utilize the County's platform to achieve that public notice requirement.

On a motion made by Ms. Oates, seconded by Ms. Cullers, and the following vote, the Board authorized the County Administrator to advertise for a public hearing for the Rivermont Volunteer Fire Department, inc. to seek financing in the amount of \$429,687 for the purchasing of a fire truck through the Community Leasing Partners as well as the County Administrator to execute the requirements of the IRS Section 147(f) approval and written agreement requirements.

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

Equitable Sharing Agreement and Certification:

Ms. Jordan stated that currently the Warren County Sheriff's Office participates in a program through the Department of Justice. This program allows Federal Agencies and Law Enforcement Agencies to seize property when Warrant Arrests are carried out. This is a document that is approved and signed annually.

Ms. Cullers asked what input the Board has on what the seized assets and or funds could be spent on. Dr. Daley stated what the funds are to be used for has to come through the Board as an appropriation.

On a motion made by Mr. Mabe, seconded by Ms. Cullers, and the following vote, the Board authorized the County Administrator to sign the Equitable Sharing Agreement and certification as presented.

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

Rail Trail Letter of Support:

Mr. Petty stated that this letter is to reaffirm the Board's support for the Rail Trail. The Board approved a Resolution of support in 2021 about the acquisition of converting an abandoned rail into the Shenandoah Rail Trail which will stretch for 49 miles from Broadway to Front Royal. This letter highlights both the recreational benefits as well as the Community Benefits as a transportation corridor.

On a motion by Ms. Oates, seconded by Mr. Mabe, and the following vote, the Board approved the proposed support letter regarding the Shenandoah Rail Trail to be sent to the Virginia Deputy Secretary of Transportation.

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

EDA Agreement for the County of Warren:

Mr. Petty stated that on August 15th, 2023, the Board signed an MOU that was almost identical, but the EDA had an addition to section 5, which includes a segment added to a sentence stating that the EDA would know in advance before there were any costs allocated with any third parties.

On a motion by Mr. Mabe, seconded by Ms. Oates, and the following vote, the Board approved the Agreement regarding

County support of authority operations, and further authorized the Chair and County Administrator to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney.

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

Adjournment:

On a motion by Ms. Oates, seconded by Ms. Cullers, and the following vote, the meeting adjourned at 8:57 PM

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