

At a Regular Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on April 2nd, 2024, at 7:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Jerome K. Butler, Vice Chair (Happy Creek District); Victoria L. Cook, (Fork District); John W. Stanmeyer (Shenandoah District), and Richard A. Jamieson (North River District) also, Dr. Edwin Daley, County Administrator; Jason Ham, County Attorney; Jane Meadows, Deputy County Administrator; Mike Berry, Public Works Director; Chase Lenz, Zoning Administrator; Dan Lenz, Director of Parks and Recreation; Zach Henderson, Deputy Clerk of the Board

Call to Order:

Ms. Cullers called the meeting to order at 7:01 PM with a prayer from Reverend Boyette.

Adoption of the Agenda:

Ms. Cullers added, "Authorization to Advertise VDOT Secondary 6-Year Plan for a Public Hearing" to the Consent Agenda.

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board approved the agenda as amended.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Public Comment: (below is a list of Citizens who spoke to the Board for the Public Comment Period:

- Mark Belanger – Voiced his support for the Warren County Sheriff's Office and Fire & Rescue Services considering the recent wildfires. Furthermore, he stated that he does not support a tax increase and suggests the County find a way to supply Public Safety with the needs they have.

Board Reports:

Mr. Matt Smith of VDOT spoke to the Board regarding recent maintenance activities such as tree/brush removal and shoulder repairs, culvert cleaning, pothole repairs, and litter cleanup. The Traffic Engineering Section did a field review of Route 340 and 619 intersection and found the current signage and signal heads are all within VDOT standard and recommend no change.

Ms. Cook reported the following:

- Thanked all Public Safety personnel for their efforts during the recent wildfires and commented on how close they came to people's homes.
- Continuing to go through the Budget process and records in preparation for the upcoming Public Hearing to set the Tax Rates in a way that minimizes taxpayer burdens.

Dr. Jamieson reported the following:

- Added his compliments to Fire and Sheriff on the work they did recently and emphasized what is still needed from them, from a public view.
- Continuing to go through the Budget process and meetings over the years and looking for ways to be rational and justify anything done to raise County revenue.

Ms. Cullers reported the following:

- Thanked and applauded Public Safety personnel as well as citizens who stepped up during the wildfires.
- Commented on the ongoing budget meetings and emphasized they are all open to the public as well as livestreamed to increase transparency during the budget process.
- Spoke against the misinformation that is being circulated on social media, such as, tax increase dates, the recent reassessment, tax exemptions for seniors etc.
- Talked about the legal burden issues and process surrounding Jennifer McDonald and the EDA

Mr. Butler reported the following:

- Visited Station #10 the day after the wildfires and commended the staff on the job they did.
- Continued working on the Budget Process with fellow Board members.
- Talked about the good work being done at the Airport, both at Front Royal as well as Winchester.

Mr. Stanmeyer reported the following:

- Thanked Fire & Rescue, the Sheriff's Office, and Public Works for all their work during the recent wildfires.
- Attended the Joint Transportation meeting regarding emergency access into Shenandoah Shores.
- Attended the Bi-monthly Jail Committee meeting and was impressed by the staff and their efforts to clean up the accounts.

Dr. Daley reported the following:

- Reminded the Board of the updated budget information that now reflects personnel requests, unfunded service needs, Tax Relief memorandums from the Commissioner etc.

Mr. Ham

- *No Report*

Approval of Minutes – 3.12.24:

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board approved the minutes for March 12th. 2024 as presented.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Public Hearings:

Lease Agreement of Hangar A6 to Jeremiah Leonard:

Mr. Berry stated that the lease is for Hangar A-6 located at 229 Stokes Airport Road, for Jeremiah Leonard.

Ms. Cullers opened the public hearing, but there were no comments from the public or Board, and the hearing was then closed.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board approved the lease of Hangar A-6 located at 229 Stokes Airport Rd., Front Royal, VA 22630 with Jeremiah Leonard for a monthly rent of \$350.00.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Lease Agreement of Hangar B10 to Kenneth McCoy:

Mr. Berry stated that the lease is for Hangar B-10 located at 229 Stokes Airport Road, for Kenneth McCoy.

Ms. Cullers opened the public hearing, but there were no comments from the public or Board, and the hearing was then closed.

On a motion by Dr. Jamieson, seconded by Ms. Cook, and the following vote, the Board approved the lease of Hangar B-10 located at 229 Stokes Airport Rd., Front Royal, VA 22630 with Kenneth McCoy for a monthly rent of \$350.00.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Lease Agreement of Hangar B14 to Robert Ingram:

Mr. Berry stated that the lease is for Hangar B-14 located at 229 Stokes Airport Road, for Robert Ingram.

Ms. Cullers opened the public hearing, but there were no comments from the public or Board, and the hearing was then closed.

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board approved the lease of Hangar B-10 located at 229 Stokes Airport Rd., Front Royal, VA 22630 with Robert Ingram for a monthly rent of \$350.00.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Lease Agreement with Front Royal Little League for use of Champs 53 Field Complex:

Mr. (Dan) Lenz stated that the new lease agreement was revised in order to set a standard lease for which the terms would automatically be renewed annually. After all parties approve the initial agreement, the only change to the new structure would be a small scheduled increase in the annual usage fee or rent. This would allow Parks and Recreation to adjust the rising operating costs and afford the league's time and a schedule to base their registration and other fees to offset the costs.

Ms. Cullers opened the public hearing, but there were no comments from the public or Board, and the hearing was then closed.

Ms. Cullers asked for clarification about the fee rates and their increase from \$1,245 last year, to \$1,370 this year but there has not been a lease for a specific dollar amount.

Mr. Lenz stated that in previous years it was done twice a year during the spring and fall and stated that doing it on an annual lease would simplify the process and not have to appear in front of the Board twice.

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board approved the Lease Agreement between the County of Warren and the Front Royal Little League for Champions 53 Field Complex at Gertrude E. Miller Community Park.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Lease Agreement for Little League Complex Agreement with Front Royal Little League:

Mr. Lenz stated that this is not for any other facility but their own, and they are inclusive to the use of the Front Royal Little League complex.

Ms. Cullers opened the public hearing and asked why a lease fee is charged if the Complex is their own. Mr. Lenz stated that after the County took over control of Parks and Recreation after the year 2000, it was determined at that time by the Board of Supervisors and the County Administration to assess fees, for utilities and getting the actual fields ready, mowing the grass, marking the fields so forth. There were no additional comments from the Board or public, and the hearing was then closed.

On a motion by Dr. Jamieson, seconded by Ms. Cook, and the following vote, the Board approved the Lease Agreement with the Front Royal Little League for the lease of the Little League Complex.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Lease Agreement with Front Royal Soccer Association:

Mr. Lenz stated that this was an annual lease agreement and advertised properly.

Ms. Cullers opened the public hearing, but there were no comments from the public or Board, and the hearing was then closed.

On a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board approved the Lease Agreement with the Front Royal Soccer Association for the lease of the Soccerplex and concession stand.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Lease Agreement with Warren County Girls Little League Softball Association:

Mr. Lenz stated that this was an annual lease agreement and advertised properly.

Ms. Cullers opened the public hearing, and Mr. Robert Look, President of Warren County Girl's Softball, spoke to the Board expressing his concerns about the lease, and the shortage of fields in the County within the community. He emphasized the deficit in playing fields which makes it difficult to accommodate the needs of the teams and players, there are 20 teams but only 2 fields that can be used. He urged the Board to table this item to further discuss the fee structure and plan.

Krista Adanitsch spoke to the Board stating that Dominion Ridge operates sports teams within the County and does not have a field to practice for the teams they currently operate, and therefore must travel to other County's to play. She urged the Board to, "keep things within the County" and come up with a reasonable way of mitigation.

Karen Patton spoke to the Board voicing her concerns about the league fees and costs that the parents have to undertake, as well as her concerns regarding the current capacity and the number of children who wish to participate but can't due to the costs.

Joel Troxell spoke to the Board citing his concerns regarding travel teams and suggested either having additional fields or give local taxpayers and local teams the priority.

There were no additional comments from the public, and the hearing was then closed.

Dr. Daley suggested that this motion be tabled and referred back to Mr. Lenz and Ms. Meadows for other recommendations.

On a motion by Mr. Butler, seconded by Ms. Cook, and the following vote, the Board tabled the Warren County Little League Softball Association Lease.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Lease Agreement with Front Royal Midget Football:

Mr. Lenz stated that this was an annual lease agreement and advertised properly.

Ms. Cullers opened the public hearing, but there were no comments from the public or Board, and the hearing was then closed.

Dr. Daley suggested approving the leases and moving them forward, and those leases can always be amended after the fact. Mr. Ham agreed stating that otherwise there would be a delay in entities and individuals that will use the field, and further suggested the tabled lease agreement for Little League Softball be revisited and approved. Furthermore, this was not to be seen as changing the entire fee schedule that was approved by the Board and is more a question of travel teams and other specifics that need to be addressed.

On a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board approved the Lease Agreement with Front Royal Midget Football for Lease of the Fields and Concession Stand at the Health and Human Services Complex.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, No

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board voted to reconsider item M, the Lease Agreement with the Warren County Girls Little League Softball Association.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

On a motion by Mr. Butler, seconded by Ms. Cook, and the following vote, the Board approved the Lease Agreement with Warren County Girls Little League Softball Association for the use of the fields and concession stand at Chimney Fields Park.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

CUP2023-12-02 - Catholic Diocese of Arlington:

Mr. (Chase) Lenz stated that the applicant is requesting a conditional use permit for a church for the property located on the corner of West Criser Road and Luray Avenue and identified on tax map 28 as lot 128, which is currently owned by Criser Rd, LLC. The applicant intends to develop the property with a 10,690 square foot chapel and a 10,500 square foot auxiliary support building with associated parking areas. A concept development plan prepared by Greenway Engineering was submitted as a supplement for this application. Per the concept development plan, the proposed chapel will include 600 seats. The property is proposed to be accessed from West Criser Road, which is regulated and maintained by Town of Front Royal Public Works. A portion of the western side of the property is located within the Special Flood Hazard Area, flood zone AE (100-year floodplain) and nearly the entire frontage of the property is located within flood zone X (shaded), which FEMA considers the moderate-risk flood zone (500-year floodplain). The applicant plans to situate the proposed buildings, parking areas, and entrance outside of the Special Flood Hazard Area. If approved for an out-of-town utility connection by the Front Royal Town Council, the property will be served by public sewer and water; however, the applicant has indicated they will proceed with the permitting process for a private well and onsite sewage disposal system through the Warren County Health Department if the request for out-of-town utility connections is not approved.

Ms. Cullers opened the public hearing and the applicant spoke on behalf of the conditional use permit and stated that the "Out of Town Utility" request will have a public hearing in April. There were no additional comments from the Board or public and the hearing was then closed.

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board approved the conditional use permit request of the Catholic Diocese of Arlington for a church with the conditions as recommended by the Planning Commission and staff.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

CUP2024-02-01 - David Kamminga (Hill of Beans, Inc.):

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in August of 2020. The owner would like to make his property available for short-term lodging for visiting nature enthusiasts, families, and individuals seeking a peaceful retreat in a serene and comfortable setting. The applicant will manage the property personally with assistance from a local property manager.

Ms. Cullers opened the public hearing and the applicant spoke on behalf of the conditional use permit and thanked the Board for their consideration. There were no additional comments from the public or Board and the hearing was then closed.

On a motion by Dr. Jamieson, seconded by Ms. Cook, and the following vote, the Board approved the conditional use permit request of David Kamminga (Hill of Beans, Inc.) for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

CUP2024-02-02 - Michael & Jean Adair:

Mr. Lenz stated that applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in February of 2004. The owners would like to make their property available for short-term lodging for visitors of the Warren County area while they are traveling. The applicants will manage the

property personally with assistance from a local professional cleaning service for cleaning, maintenance, and responding to requests and concerns from renters and neighbors.

Ms. Cullers opened the public hearing and the applicant spoke on behalf of the conditional use permit and thanked the Board for their consideration. There were no additional comments from the public or Board and the hearing was then closed.

On a motion by Mr. Butler, seconded by Ms. Cook, and the following vote, the Board approved the conditional use permit application of Michael & Jean Adair for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

CUP2024-02-03 - Kayla James (2207 Marys Shady Lane, LLC):

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property they purchased in May of 2023. The owner would like to make their property available for short-term lodging for tourists seeking a memorable experience. With two other properties approved for conditional use permits for short-term tourist rentals in Warren County, the applicant will manage the property personally.

Ms. Cullers opened the public hearing and the applicant spoke on behalf of the conditional use permit and thanked the Board for their consideration. There were no additional comments from the public or Board and the hearing was then closed.

On a motion by Mr. Stanmeyer, seconded by Mr. Butler, and the following vote, the Board approved the conditional use permit request of Kayla James (2207 Marys Shady Lane, LLC) for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Consent Agenda:

1. Contract - ACOM, LLC Contract for Technical Services (**removed for discussion**)
2. Contract - Earthdriver, LLC Contract for Tourism Website (**removed for discussion**)
3. Performance Bond Release - Nicholls Construction Inc.
4. Front Royal - Warren County Airport Courtesy Car Use Agreement
5. Contract, Omni Institute for Opioid Abatement Strategic Plan
6. Budget Supplement for the Childrens Services Act for 2023-2024 and Increase for the 2024-2025 Budget. (**removed for discussion**)
7. Authorization to Advertise for Public Hearing: CUP2024-03-01 Joel Didriksen - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 3017 Blue Mountain Road and identified on tax map 16A, section 1, block 1, lot 21. The property is zoned Residential-One (R-1) and located in the Blue Mountain subdivision and in the Shenandoah Magisterial District.
8. Authorization to Advertise for Public Hearing: CUP2024-03-02 Jennifer Wynn - A request for a conditional use permit for a Short-Term Tourist Rental. The property is located at 703 Sunset Village Rd. and identified on tax map 27D, section 1, lot 9A. The property is zoned Residential-One (R-1) and located in the Junewood Estates subdivision and the Fork Magisterial District.
9. Authorization to Advertise for Public Hearing: CUP2024-03-04 Jack Donohue - A request for a conditional use permit for a Contactor Storage Yard. The property is located at (0) Winners Ct. and identified on tax map 5, lot 11B. The property is zoned Industrial (I) and located in the Walker-Brugh subdivision and the North River Magisterial District.
10. Authorization to Advertise for Public Hearing: CUP2024-03-03 John Paul the Great Montessori Academy for Private School
11. Contract - Civicplus, LLC Renewal of Annual Term Contract (**removed for discussion**)
12. Consent to Local Emergency Declaration

13. 2024 BOS Goals and Rules of Engagement

14. Transfer - Economic Development Authority

Ms. Cook stated that she would like items #1, #2, #6, and #11 removed for discussion.

On a motion by Dr. Jamieson, seconded by Mr. Butler, and the following vote, the Board approved the consent agenda as amended.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Consent Item #1 Contract - ACOM, LLC Contract for Technical Services:

Ms. Cook voiced her concerns stating that the contract has no start date or Point of Performance on the document and recommended this item be tabled so that the contract can include not to exceed amounts.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board tabled the contract until it has a "Not to Exceed" dollar amount, and the P.O.P start date is included.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Consent Item #2 Contract - Earthdriver, LLC Contract for Tourism Website

Ms. Cook again voiced her concerns stating that the contract has no start date or Point of Performance on the document and recommended this item be tabled so that the contract can include not to exceed amounts.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board tabled the contract until it has a "Not to Exceed" dollar amount, and the P.O.P start date is included.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Consent Agenda #6 Budget Supplement for the Childrens Services Act for 2023-2024 and Increase for the 2024-2025 Budget.

Ms. Cook commented on the additional language in the motion regarding the additional \$1,000,000 in funds to be added for the FY 2025 Budget.

Dr. Daley stated that it has since been deleted on an updated motion that now reads, "I propose that the Warren County Coard of Supervisors approve a supplemental budget request for \$400,000 at this time with the approximate \$400,000 additional supplement to be added to close the 2023- 2024 fiscal year."

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board approved a supplemental budget request for \$400,000 at this time with an approximate \$400,000 additional supplement to be added to close the 2023-2024 fiscal year.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye

Consent Item #11 Contract - Civicplus, LLC Renewal of Annual Term Contract:

Ms. Cook again voiced her concerns stating that the contract has no start date or Point of Performance on the document and recommended this item be tabled so that the contract can include not to exceed amounts.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board tabled the contract until it has a "Not to Exceed" dollar amount, and the P.O.P start date is included.

Mr. Stanmeyer, Aye; Mr. Butler, Aye; Ms. Cullers, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Adjournment:

On a motion by Ms. Cook, seconded by Mr. Butler, and the following vote, the Board adjourned the meeting at 9:00 PM.

Ms. Cook, Aye; Dr. Jamieson, Aye; Ms. Cullers, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye