

At a Regular Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on May 07, 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; Melissa Michelsen, County Attorney's Office; Jane Meadows, Deputy County Administrator; Brian Foley, Cost Recovery Manager; Matt Wendling, Planning Director; Chase Lenz, Zoning Administrator; Alisa Scott, Finance Director; Zach Henderson, Deputy Clerk of the Board

Call to Order:

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

Adoption of the Agenda:

Ms. Cullers added the 2024-2025 United Health Care Renewal to New Business. 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

National Weather Service Warren County Storm Ready Designation:

Mr. Foley stated that the County began working in early 2023 with the National Weather Service to make Warren County a Storm Ready County. Some of the criteria had included a 24-hour warning point in Emergency Operations and needed to create a system that monitors weather conditions locally, in addition to various classes and educational seminars.

Chris Sterling of the National Weather Service presented the Board and Mr. Foley with a certificate stating that Warren County is officially Storm Ready.

On a motion by Dr. Jamieson, seconded by Mr. Butler, and the following vote, the Board approved the proposed Storm Ready designation for Warren County for the years 2024-2028.

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

Public Comment Period: *(below is a list of citizens who spoke during the Public Comment Period)*

- **Fern Vazquez:** spoke to the Board regarding the restrooms and Eastham Park and the need for a permanent restroom at that location.
- **Cameron Williams:** voiced his concerns about the recent tax increases, suggesting instead that funding should be cut from Schools to fund the needs of Public Safety.
- **Thomas Sayre:** spoke to the Board about transparency and urged the Board to be as open as possible.
- **Richard Baker:** voiced his concerns about the recent tax increases and supported Public Safety's funding needs but was critical of the schools and did not understand why they needed more funding.
- **Matthew Perdie:** spoke critically of the schools and emphasized that declining number of enrolled students in correlation to their increasing budget and suggested a budget freeze.
- **Anne Miranda:** spoke critically of the schools budget and the tax increases, emphasizing their under budget spending and vagueness of their requests.
- **Megan Marrazzo:** spoke to the need for transparency from the schools and implored for further assessment and scrutiny.

Approval of Minutes: (April 2nd 2024 & April 9th 2024):

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

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

Ms. Cook reported the following:

- *No Report*

Dr. Jamieson reported the following:

- Echoed Mr. Butler's comments emphasizing the effort to get through the information to make something that works.

Mr. Butler reported the following:

- Commented on the further work being done with the County and School Budget and appreciated all feedback that has been received, and how helpful it's been to understand the citizens' point of view.

Mr. Stanmeyer reported the following:

- Attended a Joint Planning Commission meeting with the Town on April 24th.
- Commented on the further work being done with the County and School Budget

Ms. Cullers reported the following:

- Attended a Drug Court advisory meeting on April 17th.
- Attended a dinner sponsored by "Reaching out Now."
- Commented on the Lone Pine Day event on April 21st.
- Attended a Joint School and Board Building Committee and commented on the LFK and E. Wilson upgrades.
- On May 2nd attended an All-Points Broadband meeting.
- Attended a banquet sponsored by Future Farmers of America
- Commented that it was Teacher Appreciation Week

Dr. Daley reported the following:

- Reminded the Board the auditor will be presenting at the upcoming work session on the 14th.
- Commented that the State should be "hopefully" signing a budget soon.
- Stated that the Public Hearing for Budget will be June 11th for a final vote to be held on June 25th.

Ms. Michelsen reported the following:

- *No Report*

Dr. Jamieson asked Dr. Daley if the Notice of Delinquent Taxes and the potential Judicial sale of Real Property (Consent Agenda Item #6) can be addressed briefly.

Dr. Daley stated the Notice is a list that was in last week's newspaper that shows this next set of properties that will go for sale on June 2nd if people have not resolved their tax issues before that. The company being used is TACS and the performance would help the bottom line on the recommendation of the Treasurer.

Public Hearing – CUP 2024-03-03 John Paul the Great Montessori Academy – Private School:

Mr. Wendling stated that this conditional use permit is for a Private School. The property is located at 768 Bowling View Road and identified on tax map 13 as lot 46D. The property is zoned Agricultural (A) and is located in the Morrison Family subdivision in the Shenandoah Magisterial District. The school is to be located on what is currently the Bowling Green South Golf Course, which has been closed since its recent purchase in 2023 by Helltown River Investments LLC. The school currently serves 141 students and has 20 full-time and 18 part-time employees and has a curriculum based on the Catholic Montessori approach as stated in their mission statement.

Ms. Cullers opened the public hearing and the applicant, Noel Sweeney, and provided the Board with a power point presentation detailing the plan for the school and grounds, a petition of support from residents, traffic analysis, parking analysis, overhead maps, septic analysis, water quality analysis, community outreach, land photos etc.

Below is a list of Citizens who spoke to the Board voicing their support for the Conditional Use Permit and the School:

- Peter Lemmon
- Kari Lemmon
- Thomas McGuire
- Amanda Slate
- Shelia Svoboda
- Kate Leonard
- Sharon Hickson
- Sloan Casey
- Robert Hencken
- Lydia Hickson
- Anne Jansen
- Marie Maveritch
- Hugh Norton
- Paul Jalsevac

There were no additional speakers and Ms. Cullers closed the hearing.

On a motion by Mr. Stanmeyer, seconded by Ms. Cook and the following vote, the Board approved the conditional use permit request of the John Paul the Great Montessori Academy for a private school 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

Public Hearing – CUP 2024-03-01 Joel Didriksen for a Short-Term Tourist Rental:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property they purchased in April of 2020. The owner would like to make the property available for short-term lodging for visitors of the Warren County area when they are not using the property. The owner and applicant have an extensive history of hosting properties for short-term rentals in Washington, DC using the Airbnb platform. Primarily residing in DC, the applicant has engaged a neighboring property owner to serve this property as the local property manager.

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

On a motion by Mr. Stanmeyer, seconded by Dr. Jamieson, and the following vote, the Board approved the conditional use permit request of Joel Didriksen 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

Public Hearing – CUP 2023-03-02 Jennifer Wynn for a Short-Term Tourist Rental:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the subject property on behalf of the current owner, who purchased the property in March of 2022. The owner would like to make the property available for short-term lodging for visitors of the Warren County area when they are not using the property. Primarily residing in Strasburg, VA, the applicant will serve as the local property manager.

Ms. Cullers opened the public hearing and the applicant, Jennifer Wynn, spoke to the Board on behalf of the CUP and emphasized that there are other homes in her area that operate as Short-Term Rentals and no issues have arisen with any of them.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board approved the conditional use permit request of Jennifer Wynn 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

Public Hearing – CUP 2023-03-04 Jack Donohue for a Contractor Storage Yard:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a contractor's storage yard for the subject property, which he is currently leasing. The applicant is the owner of Timber Works Tree Care, a landscaping and horticultural services business located on an adjacent property at 404 Fairgrounds Road. The proposed use includes storage of lumber, mulch, other wood products, contractor's equipment and vehicles related to the operation of the adjacent landscaping business. The property is currently used for storage of wood materials for the adjacent landscaping business and the applicant has submitted a preliminary site plan for review. Upon receipt of the site plan, Planning staff communicated with the applicant that a conditional use permit for a contractor's storage yard will be required prior to site plan approval since the principal use of the subject property is storage of timber, materials, and contractor's equipment.

Ms. Cullers opened the public hearing but there were no additional comments from the applicant, the public, or Board, 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 Jack Donohue for a contractor storage yard 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

Public Hearing – Lease Agreement for Hangar B-17 to Andrew Gass:

Ms. Meadows stated that this lease agreement was for Hangar B-17 located at 229 Stokes Airport Road to Andrew Gass and has been properly advertised.

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 B17 located at 229 Stokes Airport Rd., Front Royal, VA 22630 with Andrew Gass for a monthly rent of \$350.00.

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

Public Hearing – Lease Agreement for Hangar A-14 to Otis Blake Bacon:

Ms. Meadows stated that this lease agreement was for Hangar A-14 located at 229 Stokes Airport Road to Otis Blake Bacon and has been properly advertised.

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 Ms. Cook, and the following vote, the Board approved the lease of Hangar A17 located at 229 Stokes Airport Rd., Front Royal, VA 22630 with Otis Blake Bacon for a monthly rent of \$350.00.

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

Public Hearing – Lease Agreement for 179 Stokes Airport Road to Zachary Henderson:

Ms. Meadows stated that this lease agreement was for property located at 179 Stokes Airport Road to Zachary Henderson for \$850.00 per month and the providing of certain services by the lessee.

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 Mr. Butler, and the following vote, the Board approved the lease of 179 Stokes Airport Rd., Front Royal, VA 22630 with Zachary Henderson for a monthly rent of \$850.00 and the providing of certain services by the Lessee.

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

Consent Agenda:

1. Authorization to Advertise for Public Hearing - Lease Agreement - Front Royal Cardinals Baseball
2. Authorization to Advertise for Public Hearing: CUP2024-04-01 Andres Barkil-Oteo - A request for a conditional use permit for a Short-Term Tourist Rental.
3. Authorization to Advertise for Public Hearing: CUP2024-04-02 – Fred & Christine Andreae (Lynx Properties, LLC) - A request for a conditional use permit for a Short-Term Tourist Rental.
4. Authorization to Advertise for Public Hearing: CUP2024-04-04 – William Johnson - A request for a conditional use permit for a Short-Term Tourist Rental.
5. Authorization to Advertise for Public Hearing: CUP2024-04-03 Pennoni, Inc.
6. Contract with TACS for Collection of Certain Delinquent Tax Accounts
7. New Road Naming Request for properties accessed off of Coldbrook Lane
8. Festival Permit Request for Warren County Fair Community Days
9. Authorization to Advertise - Shenandoah Shores Sanitary District Water Rate Increase

10. Award of Contract - BFI Waste Services, LLC DBA Republic Services of Winchester (removed for discussion)

11. Proclamation - Child Abuse Prevention Month

12. Award Recommendation: E-911 Dispatch Console

Ms. Cook stated that she would like item #10 *Award of Contract - BFI Waste Services, LLC DBA Republic Services of Winchester* removed for discussion.

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board approved the consent agenda as amended to remove item #10 for discussion.

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

Award of Contract - BFI Waste Services, LLC DBA Republic Services of Winchester:

Ms. Scott stated that the County has previously solicited and awarded a contract to BFI Waste Services LLC for solid waste transportation and disposal for the Public Works department in April 2024. The initial term of the contract is for 12 months with the option of nine one-year renewals for a maximum total contract period of 10 years. At the beginning of each renewal term, the price shall be increased by a factor equal to the increase in the consumer price index for all urban consumers, as of June 15th of such year not to exceed a 5% increase to each renewal term.

Ms. Cook stated that she would like to see in section three, compensation and method of payment, language that defines a “not to exceed” dollar amount and suggested tabling the item until such language is added stating not to exceed \$1.5M.

Dr. Daley suggested that it can be added to the motion to say, “motion to approve the contract not to exceed \$1.5M.”

On a motion by Ms. Cook, seconded by Mr. Butler, and the following vote, the Board approved the Contract for Services with BFI Waste Services, LLC, with such changes as approved by the County Administrator in consultation with the County Attorney. I further move the Board authorize the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney, as well as including a not to exceed price amount of \$1.5 million annually.

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

Adult Abuse Proclamation:

Ms. Cullers stated that May is Adult Abuse Prevention Month. During fiscal year 2023, Virginia Adult Protective Services received over 43,000 reports of adult abuse, neglect, and exploitation, an eight percent increase from the previous year. The Virginia Department for Aging and Rehabilitative Services Adult Protective Services Division works collaboratively with state and local partners across the Commonwealth to help older Virginians and Virginians with disabilities live free of abuse, neglect, or exploitation.

On a motion by Mr. Butler, seconded by Ms. Cook, and the following vote, the Board approved the Proclamation declaring May as National Adult Abuse Prevention Month.

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

Authorization to Advertise for Public Hearing: 2024-04-01 — Campground — Michaun Pierre - A request to amend Chapter 180 of the Warren County Code to amend 5180-8C to add definitions for Camping Unit and

Tent, to modify the existing definitions of Commercial Campground and Commercial Camping, and to repeal the existing definitions of Unit Space, Vacation Camp, Day, and Vacation Camp, Overnight, to amend 5180-21D to modify the listed Commercial Campground use and to repeal the listed Vacation Camp, Day/Overnight use in the Agricultural District Regulations, to amend 5180-27D to modify the listed Commercial Campground use in the Commercial District Regulations, to amend 5180-41 to modify the existing supplementary regulations for Commercial Campgrounds, and to amend 5180-57 to repeal the existing supplementary regulations for Vacation Camp, Day or Overnight.

Mr. Lenz stated this is a text amendment to change, add, and repeal certain definitions. Additionally, Planning is looking at a draft ordinance to modify the listed commercial campground use, and in doing so, also repealing the vacation camp use currently in the ordinance that has also modified the supplementary regulations for campgrounds and repeal the supplementary regulations for vacation camp day or overnight.

On a motion by Dr. Jamieson, seconded by Mr. Butler, and the following vote, the Board authorized the proposed text amendment for advertisement for a public hearing.

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

Authorization to Advertise for Public Hearing: Z2024-04-02 — Zoning District Regulations — Warren County Planning Staff - A request to amend Chapter 180 of the Warren County Code to amend 518021 to make Public Schools permissible only by Conditional Use Permit in the Agricultural (A) District, to amend 5180-25 to make Store/Dwelling Combination and Library permissible only by Conditional Use Permit in the Village Residential (VR) District, to amend 5180-26 to add Church as a use permissible only by Conditional Use Permit in the Suburban Residential (SR) District, and to amend 5180-28 to add Church as a use permitted by right in the Industrial (I) District:

Mr. Lenz stated this text amendment was written by the County Attorney's office, and that most of the conversations this far regarding this item have been discussed in a Closed Session with the Planning Commission and can be further discussed during the hearing.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board authorized the proposed text amendment for advertisement for a public hearing.

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

2024-2025 United Healthcare Insurance Renewal:

Ms. Meadows stated that for the 2024-2025 Insurance Renewal for the County's Group Health, Dental, and Vision, the County has received an overall increase of 7.7% along with a \$40,000 premium holiday for the July Bill, and Ms. Meadows provided the Board with two different options. Option A reflects the County absorbing the increase in the rates and the employee contribution to the premiums remains the same as the previous year. Option B reflects a portion of the increase being absorbed by the employees in the higher deductible, the thousand-dollar plan, and the preventative dental plan, and the County contributions being mirrored from the thousand-dollar plan to the \$250.00 plan.

Ms. Cook confirmed with Ms. Meadows that with option A, the annual costs that the County will be absorbing is \$69,000, however, with option B the savings reduces by almost \$45,000, with the cost being shipped to the employee.

Mr. Butler asked which option is recommended by Ms. Meadows. She then stated that Option A is her recommendation emphasizing the increased costs of living and that it would be appreciated by the employees.

Ms. Cook asked if the County started absorbing the employee's premium from the savings over the last 3 years, and that this is the first year that the County will not be using those savings. Dr. Daley stated that 3 years ago, the County switched plans and up until that time the County paid the Employee only share, but a portion of the Employee Plus Spouse or Plus Family was provided by the employee. When the County switched plans there was a savings that acted as a Health Insurance Cushion that has now been depleted. Therefore, it is all paid by tax dollars.

Mr. Butler motioned to adopt the 2024-2025 United Healthcare insurance rates utilizing Option A. However, there was no second and the motion died.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board adopted the 2024-2025 United Healthcare insurance utilizing Option B rates.

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

Adjournment:

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board adjourned the meeting at 9:30 PM.