

At a Closed Meeting and Work Session of the Board of Supervisors of Warren County held in the Warren County Government Center on October 01, 2024, at 5:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Jerome K. Butler, Vice Chair (Happy Creek District); Victoria L. Cook, (Fork District); Richard A. Jamieson, (North River District); John W. Stanmeyer, (Shenandoah District), also, Jason J. Ham, County Attorney; Edwin C. Daley, County Administrator

At 5:00 PM, on a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board entered into a closed meeting under Sections 2.2-3711(A)(7) and (A)(8) for the purpose of consultation with legal counsel pertaining to actual or probable litigation and the provision of legal advice regarding specific legal matters requiring such advice. The subject matters are the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia (the "EDA"), the Town of Front Royal, the EDA vs. Jennifer McDonald, et al., the Town of Front Royal vs. the EDA, et al., the EDA vs. the Town of Front Royal, County of Rockingham v. unknown heirs of Frances Rexrode, et al., other potential claims and litigation relating to other possible liabilities of the EDA, the recovery of EDA funds and assets, the outstanding indebtedness of the EDA, bank actions and potential actions related to the same, and the Forbearance and Support Agreements. And further entered into a closed meeting under Section 2.2-3711(A)(5) for the purpose of discussion concerning the expansion of an existing business or industry where no previous announcement has been made of the businesses or industry's interest in expanding its facilities in the community. The subject matter is an existing business or industry. And further entered a closed meeting under Section 2.2-3711(A)(8) for the purpose of the provision of legal advice regarding specific legal matters requiring such advice. The subject matters are use of County property, including the Courthouse, for public displays and the providing of library services. And lastly entered into a closed meeting under Sections 2.2-3711(A)(8) and (A)(29) for the purpose of the discussion of the award of a public contract involving the expenditure of public funds and the discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, and the provision of legal advice regarding specific legal matters requiring such advice. The subject matter is an Agreement with Page County for landfill services.

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

At 6:55 PM, on a motion by Mr. Stanmeyer, seconded by Dr. Jamieson, and the following vote, the Board 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)(5), (A)(7), (A)(8), and (A)(29) 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.

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

At a Regular Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on October 01, 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); Richard A. Jamieson, (North River District); John W. Stanmeyer, (Shenandoah District), also, Jason J. Ham, County Attorney; Edwin C. Daley, County Administrator; Jane Meadows, Deputy County Administrator; Kelly Wahl, Planner; Chase Lenz, Zoning Administrator; Todd Jones, Director of I.T.; Zach Henderson, Deputy Clerk of the Board

Call to Order:

Ms. Cullers called the meeting to order at 7:05 PM with a moment of silence.

Adoption of the Agenda:

On a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board adopted the agenda as presented.

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

Public Comment Period: *(Below is a list of citizens who spoke at the Public Comment Period)*

- **Andrew Heymann** – Discussed the recent meeting with Ms. Cullers and Mr. Matt Wendling regarding the matter of naming a private driveway and commented that he believed they had come to a “resolution” for the immediate issue and thanked them for their time.
- **John Jenkins** – voiced his concerns about the Sheriff’s Office proposed shooting range and requested the Board to rescind CUP 2024-06-62 due to expedited advertising.

Board Reports:

- **Mr. Stanmeyer reported the following:**
 - Had recent correspondence with multiple constituents regarding taxes, data center development, fire and rescue matters, etc.
 - Attended a Transportation and Infrastructure committee meeting as well as the Airport Commission meeting.
- **Mr. Butler reported the following:**
 - Attended the Airport Commission Meeting and commented on the niche that has been developed there with the gliders, parachutes, unmanned aerial vehicles etc.
- **Ms. Cullers reported the following:**
 - On September 18th, attended a Triad Meeting at the Moose lodge
 - Attended a transportation meeting regarding access to Route 66 from Shenandoah Shores.
 - Urged the public to be wary of the hazardous flooding condition of the Shenandoah River.
 - Commented on Dr. Daley’s upcoming retirement by the end of 2025 and met with him and Mr. Butler regarding the process for recruitment.
- **Dr. Jamieson had no report**
- **Ms. Cook reported the following:**
 - Attended the recent Airport Commission meeting and stated that she has sent emails to the commission members with various questions and commented on their decision-making process.
- **Dr. Daley reported the following:**
 - Addressed a few question / concerns regarding plans for the former Rivermont Fire Station, Mr. Lenz then commented on the tanks and other military vehicles currently being stored there, and that attorney’s on both sides on working for the owners plans and all necessary permits.
 - Dr. Daley then introduced Mr. Jones who then discussed the ongoing issues with the Credit Payment issues on the County Website and is working on a solution that is compatible with County Software and departments.
- **Mr. Ham had no report**

Approval of Minutes September 17th, 2024:

On a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board approved the minutes for September 17th, 2024, as presented.

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

Public Hearings:

CUP 2024-08-01 – Caroline Hersh & Brian Stechschulte:

Ms. Wahl stated that the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased this July. The applicants would like to make the property available for short-term lodging for visitors seeking to experience Warren County while not serving as their second residence. The property will be managed by a local property manager, Jackie Rowles, who will oversee maintenance, cleaning, and the booking of rental requests.

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 conditional use permit request of Caroline Hersh & Brian Stechschulte 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

CUP 2024-08-02 – John Myers & Helen Park:

Ms. Wahl stated that the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in August of 2023. The applicants would like to make the property available for short-term lodging for visitors seeking to experience Warren County while not being used as their second residence. The property will be managed by a local property manager, Tiffany Peer, with TNL Cleaning, who will oversee maintenance and cleaning.

Ms. Cullers opened the public hearing and Mr. Stanmeyer asked, in response to a short email in the agenda packet, if the question of the permit's approval term was brought up to the Planning Commission. It was acknowledged that approvals are not given time frames, but Mr. Stanmeyer recommended that the planning staff reach out to her and discuss her options should any problems with the rental arise.

Mr. Butler asked where the property owners lived, in correlation to a concern regarding vague language of "living nearby." Ms. Wahl confirmed that the applicants live in Northern Virginia. There were no additional comments from the Board or public 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 John Myers & Helen Park 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

CUP 2024-08-03 – Andres Barkil - Oteo:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in April of 2024. The owner would like to make the property available for short-term lodging for tourists and visitors of the Warren County area. The applicant will retain a local property manager to help oversee maintenance, cleaning, and the booking of rental requests.

Ms. Cullers opened the public hearing, but there were no comments from the Board or public, 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 Andres Barkil-Oteo 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, No

Lease Agreement of Hangar A-10 to William Barse:

Ms. Meadows stated that the County would like to lease Hangar A-10, located at 229 Stokes Airport Road, to William Barse for the monthly rent of \$350.00

Ms. Cullers opened the public hearing and Andrew Heymann asked if the lease includes any restrictions on the use of chemicals. Mr. Ham stated that there is a provision on the storage of hazardous materials, emphasizing storage container and the amount limitations.

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

On a motion by Dr. Jamieson, seconded by Mr. Butler, and the following vote, the Board approved the lease of Hangar A10 located at 229 Stokes Airport Rd., Front Royal, VA 22630 with William Barse for a monthly rent of \$350.00.

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

New Business:

Consent Agenda:

1. Authorization to Advertise for Public Hearing - CUP2024-09-01 - Jennifer Wynn (Beau Whiteman & Jerry Morant)
2. Authorization to Advertise for Public Hearing - CUP2024-09-02- Balachander Rajasekaran
3. Extension Request for CUP2021-10-01 - Carl & Jennifer Ey - Rural Events Facility
4. Approval of 2025 Pay and Holiday Calendar
5. Additional Appropriation - Warren County Public Schools - Safety and Security Grant
6. Request for Town of Front Royal Public Sewer and Water for Interstate 66 Industrial Park - Equus Development LP
7. Use of Courthouse Grounds - Little Chapel Baptist Church

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

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

Adjournment:

On a motion by Dr. Jamieson, seconded by Mr. Butler, and the following vote, the meeting was adjourned at 8:00 PM.

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