

At a Closed Meeting and Work Session of the Board of Supervisors of Warren County held in the Warren County Government Center on November 19, 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, Jane Meadows, Deputy County Administrator; Jason J. Ham, County Attorney; Edwin C. Daley, County Administrator.

At 5:03 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 als., 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, the Forbearance and Support Agreements, and a grant from the Virginia Department of Transportation to the EDA and funding for the same.

Additionally, the Board entered into a closed meeting under Section 3711(A)(8) for the purpose of the provision of legal advice regarding specific legal matters requiring such advice. The subject matters are the County finance board, and changes to the County code related to roll back taxes on real property.

Additionally, the Board entered into a closed meeting under Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for the purpose of the discussion, consideration or interviews of specific proposed appointees. The subject matter is appointment of candidates to the County finance board.

Lastly, the Board enter 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 6:50 PM, on a motion by Mr. Butler, 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)(1), (7), (8) and (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 November 06, 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; Matt Wendling, Planning Director; Zachary Henderson, Deputy Clerk to the Board of Supervisors

Call to Order:

Ms. Cullers called the meeting to order at 7:00 PM with a moment of silence.

Adoption of the Agenda:

Mr. Butler added Item L (Authorization to Advertise an ordinance abolishing the Warren County Finance Board).

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

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

Public Comment Period

- The Following is a list of individuals who spoke during the Public Comment Period in support of Samuel's Public Library, their content, funding, governance etc. and/or voiced their concerns regarding the proposed Warren County Library Board and the 2023 Library Debrief Report.

○ Susan Bloss	○ Susan Lewis
○ Cheryl Masella	○ Kelsey Lawrence
○ John Norman	○ Julieta Hernandez
○ David Harrison	○ Gene Kilby
○ Robert Jones	○ Stevi Hubbard
○ Fred Andrea	○ Nancy Smith
○ Mary Ryan	○ Rea Howarth
○ Janey Brome	○ Jarred Hill
○ Steve Forman	○ Julie George
○ Lisa Jenkins	○ Tom Howarth

- **John Lundberg** – Voiced his support for the Samuel's Public Library Board and Dr. Jamieson's Debrief report

Board Reports:

- Mr. Stanmeyer reported the following:
 - Thanked Ms. Cook for the invitation to an upcoming Finance Committee meeting to discuss the larger sanitary districts.
 - Attended the recent Planning Commission meeting where the Comprehensive Plan was discussed in a Public Hearing.
 - Attended a data center "lunch and learn" sponsored by the EDA regarding data centers

- Attended a Shenandoah Farms Sanitary District Advisory Committee meeting and discussed the completion of the Old Oak 4 and 5 Road projects.
- Mr. Butler reported the following:
 - Attended the Finance Committee Meeting with Ms. Cook.
 - Stated that the Airport in Winchester will be having a grand opening for their new terminal and discussed future potential at the airport in Front Royal
- Ms. Cullers reported the following:
 - Attended a retirement and promotion ceremony for Fire and Rescue
 - Attended a VACO conference from 11/10 – 11/12 and commented on the good presentation, specifically on Broadband.
 - Attended a Joint School and County Building Committee meeting and discussed a new development behind Rual King
 - On November 14th - attended a County Building Committee meeting and discussed HVAC issues.
- Dr. Jamieson reported the following:
 - Met with the Planning staff to discuss the Comprehensive plan and emphasized the housing opportunities in the community.
 - Attended the Fire and Rescue Awards and Retirement Ceremony.
 - Also attended a data center “lunch and learn” sponsored by the EDA regarding data centers
 - Addressed some of the comments made during the Public Comment Period and urged people to direct their comments to the actual content of the committee report that was presented instead of personal motives, religious ideologies, or political leanings etc.
 - Addressed his concerns about recent articles in the Royal Examiner and the Northern Virginia Daily regarding his own distribution of the library report and stated that the reports are false and demanded a retraction.
 - Addressed the “misconception” on holding public office and rights as an individual in office in correlation with that.
- Ms. Cook reported the following:
 - Attended the finance and audit committee meeting and addressed Ms. Cullers’ concerns and will be prioritized and solutions will be presented shortly.
 - Stated that the Finance Committee is also working with Fire & Rescue on their fiscal policy and have received feedback from the County Attorney.
 - Commented on the discussion of investment funds and emphasized the separation of power between the Board of Supervisors and the Treasurer and the need to work together for any policy changes in that respect.
- Dr. Daley reported the following:
 - Ms. Cook asked about ongoing selection process and timeline for the County Administrator recruitment position and emphasized that should be a priority moving forward.
- Mr. Ham had no report

Appropriations and Transfers:

Ms. Cook commented on the Budget Action form for the School Board and that while it is for the prior fiscal year, it was expected and had already been presented to the Finance Committee.

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

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

Approval of Accounts:

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

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

Approval of Minutes – 11.06.2024

On a motion by Dr. Jamieson, seconded by Mr. Butler, and the following vote, the Board approved the Minutes for November 6th, 2024, as presented.

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

Unfinished Business:

CUP2024-09-03 – South Fork River Side Campground, LLC:

Mr. Wendling stated that the applicants are requesting that Condition #14 be changed to a setback of 100' for the campsites from the 150' approved by the Planning Commission and 75' to an access road serving the camping areas in that location. The revised campground Concept Plan and Evacuation Plan have been submitted after the Planning Commission showing this request. The applicant also submitted a Boundary Line Adjustment that decreased acreage for the campground from 142.09 to 120.3991 to allow for two building lots on Russ Johnson Road and Rivermont Drive, this BLA nullifies the need for condition #13. The applicants have also asked for Condition #15 to be changed from 14 days to 30 days length of stay reflecting the amount allowed for a short-term tourist rental.

Ms. Cullers asked if VDOT has submitted any comments on the impact to Route 619. Mr. Wendling stated that the access easement is currently owned by Rappahannock Electric, and the applicants will have to meet the standards for a commercial entrance.

Mr. Stanmeyer asked if there was an enforcement mechanism for the tress that are scheduled to be planted to meet the screening requirements. Mr. Wendling stated that staff would periodically check the CUP as well as the site plan to ensure everything is in compliance.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board approved the conditional use permit request of SouthFork RiverSide Campground, LLC with the conditions recommended by Planning Commission and staff with the following amendments and changes; to delete Condition #13, on Condition #14 to decrease the setback from the west property line from 150' to 100' to campsites and 75' to the campground road, and on Condition #15 to limit the length of stay by guests from 14 days to 30 days maximum.

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

New Business:

Consent Agenda:

1. Award Recommendation: Wilhelm Mechanical LLC dba Vern's Plumbing
2. 2025 Parks and Recreation League and Fee Schedule
3. Amendment to the Parks and Recreation Commission Bylaws
4. Extension of Tabling - R2023-07-01 – Slate Run Farm, LLC - Rezoning Agricultural to Industrial and Commercial
5. Board Refund Letter - Central Telephone Company of Virginia
6. Request for Adoption of Blue Ridge Shadows Phases 3 and 5 Into State System and Dedicated for Public Use
7. Request for Release of D.R. Horton Subdivision Bond #929413863
8. Authorization to Advertise - Ordinance Adding Chapter 7 for the formation of a Warren County Library Board (removed for discussion)
9. Approval of FY2025 Non-Competitive Litter Prevention and Recycling Grant
10. Appointment of an individual Assessor in lieu of Board of Assessors

Ms. Cullers stated that she would like to pull item #8 (Authorization to Advertise - Ordinance Adding Chapter 7 for the formation of a Warren County Library Board) for discussion.

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

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

Authorization to Advertise - Ordinance Adding Chapter 7 for the formation of a Warren County Library Board:

Ms. Cullers stated that she respected Ms. Cook and Dr. Jamieson's work on the Library Report, but she does not support the formation of a Library Board and emphasized their services throughout the years, her desire for financial oversight that is cost effective, and her concerns about the negative impact to the community.

Mr. Butler stated that this motion is only to Authorize a Public Hearing.

On a motion by Mr. Butler, seconded by Ms. Cook, and the following vote, the Board authorized the Ordinance adding chapter 7, Library Board to the Warren County Code of Ordinances for a public hearing.

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

Resolution - Establishment of the Warren County Finance Board:

Ms. Cook stated that this is the establishment of the Warren County Finance Board, which is going to be working with the treasurer and reviewing the County's investments and trying to see what can be done to get a better return on investments.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board adopted the resolution establishing a County Finance Board

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

Additional New Business:

Authorization to Advertise to abolish the Finance Board:

On a motion by Mr. Butler, seconded by Dr. Jamieson, and the following vote, the Board authorized an ordinance to abolish the County Finance Board for a public hearing

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

Mr. Ham stated that Virginia Code provides that the Board of Supervisors can constitute a Warren County Finance Board, and if the Board decides to then abolish it, then control would revert to the entire Board of Supervisors instead of three individuals.

Adjournment:

On a motion by Dr. Jamieson, seconded by Mr. Butler, and the following vote, the meeting adjourned at 9:05 PM

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