

At a Closed Meeting and Work Session of the Board of Supervisors of Warren County held in the Warren County Government Center on December 10, 2024, at 6:00 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 6:00 PM, on a motion by Mr. Butler, seconded by Dr. Jamieson, 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 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 the County finance board and its powers, issues regarding the public comment period, the providing of library services, and changes to the County code related to roll back taxes on real property.

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)(7) and (8) 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 December 10, 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; Tiffany Walker, Parks and Recreation Director; Zachary Henderson, Deputy Clerk to the Board of Supervisors

Call to Order:

Ms. Cullers called the meeting to order at 7:03 PM with an opening prayer from Reverend Desantis

Adoption of the Agenda:

On a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board approved the agenda as amended to remove Consent items, K-6, K-8, and K-9, from the agenda.

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*)

- **John Jenkins** – voiced his concerns regarding alleged collusion and conflicts of interest between Ms. Cullers and Sheriff Cline regarding the proposed shooting range, contracts for members on the Planning Commission, and appointments of “family members and close friends” to support certain opinions.

Board Reports:

- **Mr. Stanmeyer had no report**
- **Mr. Butler reported the following:**
 - Attended a Christmas Dinner put on by the Building Association.
- **Dr. Jamieson reported the following:**
 - Met with several constituents over the last few weeks to discuss the ongoing library situation as well as the comprehensive plan.
- **Ms. Cook reported the following:**
 - Addressed the Fork district residence directly and state that she will no be seeking re-election due to the desire to spend more time with her family and be more involved in the community.
- **Ms. Cullers reported the following:**
 - Attended the Christmas Parade over the weekend and complimented the Chamber of Commerce on a job well done.
- **Dr. Daley had no report**
- **Mr. Ham had no report**

Approval of Accounts:

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board approved the Accounts as presented.

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

Approval of Minutes – November 19th, 2024:

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board approved the Minutes for November 19th, 2024, as presented.

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

Public Hearings:

Public Hearing - Ordinance Abolishing the County Finance Board:

Dr. Daley stated that the purpose of this is to allow the dissolution of the County Finance Board, in which case, the Board of Supervisors takes over that role.

Ms. Cullers opened the public hearing and below is a list of Citizens who spoke.

- **John Jenkins** – voiced his opposition to abolishing the Finance Board emphasizing the County's debt and questioned how and if his tax dollars are being properly utilized.

There were no additional speakers, and the hearing was then closed.

Ms. Cook commented on the Warren County Finance and Audit Committee, emphasizing that they have three appointed citizens whose mission is to review all of the County's internal fiscal controls, identify gaps, and make sure all reports are presented in a standardized and transparent manner.

On a motion by Dr. Jamieson, seconded by Ms. Cook, and the following vote, the Board adopted the proposed ordinance abolishing the County Finance Board.

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

Resolution Respectfully Directing the County Treasurer to Invest in funds in accordance with Guidelines issued by the State Treasurer and Requesting Reports regarding County Funds.

Dr. Jamieson summarized the resolution by stating, The Board of Supervisors of Warren County, recognizes its duty to responsibly manage and invest County funds and the code of Virginia § 58.1-3151 allows the County to create a county finance board and by Code of Virginia § 58.1-3151 further provides that the Board, after establishing a county finance board, may by ordinance abolish the county finance board, whereupon all authority, powers and duties of the county finance board shall vest in the Board and given each Supervisor's duty to responsibly manage County funds, the Board has established the county finance board, and has subsequently abolished it by ordinance.

The Board is concerned that County funds are not being invested to maximize their investment returns and the Board determines that County funds are drawing a lesser rate of interest than they otherwise may be earning. The Board is entitled, pursuant to Code of Virginia § 58.1-3160, to receive a monthly report from the County Treasurer on the amount of County money on deposit with each depository.

The Board respectfully directs the County Treasurer to invest County funds in accordance with guidelines issued by the State Treasurer, pursuant to Code of Virginia § 58.1-3156, and requests that all available funds be invested with the Virginia Local Government Investment Pool and/or the VML/VACO Finance Virginia Investment Pool. And the Board requests that the County Treasurer provide monthly reports to the Board on the amount of County money on deposit with each depository pursuant to Code of Virginia § 58.1-3160, and requests that the amount of interest earned on each depository account also be provided.

On a motion by Mr. Butler, seconded by Mr. Stanmeyer, and the following vote, the Board adopt the Resolution Respectfully Directing the County Treasurer to Invest in funds in accordance with Guidelines issued by the State Treasurer and Requesting Reports regarding County Funds.

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

Public Hearing - Lease Agreement with Warren County Sunfish

Ms. Walker stated that she is seeking approval from the Board to approve the lease agreement between the Warren County Sunfish for the use of using the Claude A Stokes Community Swimming Pool and the amount of \$613. For the past three years, the County had an MOU with the understanding that a lease would start on the 4th year.

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. Stanmeyer, seconded by Mr. Butler, and the following vote, the Board approved the Lease Agreement with the Warren County Sunfish for lease of the Claude A. Stokes, Jr. Community Swimming Pool.

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

Ordinance Adding Chapter 7 for the formation of a Warren County Library Board

Ms. Cullers opened the public hearing, and Mr. Ham discussed the minor changes to the Ordinance in response to various comments from the public and Supervisors, such as:

- Emphasizing that there are 5 members of the Board and when a vacancy occurs, then the Board can add a new member.
- Members shall be residents of Warren County Virginia
- The Library Board shall provide its recommendation for budgets for the next fiscal year by December of each year to coincide with other departments.
- The Library Board shall provide financial requests as requested by the Board of Supervisors.

Ms. Cullers stated that she received a list of questions that read as follows:

1. What is the Warren County Board of Supervisors five-year financial plan for a public library? If the Warren County library board is approved, is there any financial plan available? Ms. Cullers stated that the Warren County Library Board has not been authorized or appointed, therefore a financial plan has not been created.
2. How would the Warren County Library Board and the Warren County Board of Supervisors find the funds to purchase all the furniture and resources essential to the library operations? Ms. Cullers stated that this issue will be addressed if and when a Warren County Library Board is appointed.
3. What quote did the Warren County Board of Supervisors receive to hire a library management firm to run the potential County Library? Ms. Cullers stated that Warren County has not advertised for a library management firm and does not have a proposal for one.
4. How much has the Warren County Board of Supervisors spent of taxpayer funds in total for hiring legal counsel for the purpose of reviewing and or discussing Samuel's library? Ms. Cullers stated that in the two past two fiscal years, Warren County has spent approximately \$16,000 for legal fees related to the Samuel's public library.

Below is a list of citizens who spoke out **against** the Ordinance Adding Chapter 7 for the formation of a Warren County Library Board (for both Ordinance denial or tabling), and voiced their Support for Samuel's Public Library, their Board of Trustees, funding, content, staff, programs etc. and / or voiced their concerns regarding government control and oversight, alleged ulterior motives and priorities, censorship and discrimination, funding cuts, damage to community support, and questioning the overall necessity.

• Pam Schwartz	• Charles Stewart
• Joanna Artone	• Ewan Welt
• Jeanne Artone	• Lyn Bennet
• Bill Grewe	• Amy Hayes
• Tony Carter	• Angela Fritz
• Jackie Masella	• Denette Forman
• Catherine Compton	• Magdalena Adams
• Joan Richardson	• Alane Yates
• Cheryl Masella	• Stevi Hubbard
• Jim Bunce	• Joanne Waters
• Marc Nelson	• Missi Neal
• Shelby Whetzel	• Steven Senz

• Bob Hill	• Elizabeth Heaton
• Kate Germano	• Garry Heaton
• Joe Plenzler	• Christine Riedel
• Colleen Snyder	• Bethany O'Neil
• Sally Kilpatrick	• Steve Foreman
• Diane Denman	• Thomas Ball
• Friends of the Samuel's Library (Chris Estes, Sydney Patton, Chantal Gamble)	• Erin Rooney
• Michelle Franson	• Cheryl Harrison
• Cheryl Langlais	• Julieta Hernandez
• Mary Kay Anderson (on behalf of Adele Medved)	• Marisol Mata
• David Harrison	• Tyler Hopkins
• Katherine Connette	• Nichole Meyer
• Melody Hotek	• Robert Jones
• Lee Meadows	• Scott Jenkins
• Lisa Jenkins	• Karen Shotton
• Michael Shotton	• Michael Whitlow
• James Teafel	• Kate Trosch
• Dororthy Landry	• Jenn Ritenbough
• Michelle Leasure	• Nancy Smith
• Suan Blos	• Lori Girard
• Maria Hibl	• Traci Lane
• Danielle Furr	• Tom Patteson
• Ethan Henard	• Craig Fergus
• Celeste Brooks	• Margaret Thursland
• Kim Evenson	• Kate Heneberry
• Corey Hunsdon	• Lewis Moten
• Rebecca Altizer	• Ruth Furr
• Brian Peldunas	• Aileen Dierig
• Glenn Wood	• Rea Howarth
• Greg Mosakewiez	• Samara Thomas
• Teresa Jenkins	• Tim Francis
• Anderw Thomas	• Jim Barnes
• Sue Cullers	• Sarah Downs
• Elizabeth Peldunas	• Meredith Clemens
• Lee Paul Erickson	• Grant Conet

Below is a list of citizens who spoke out in **support** the Ordinance Adding Chapter 7 for the formation of a Warren County Library Board, and questioned size of the library's budget per capita, and urged for more taxpayer representation and more detailed budgetary oversight and accountability.

• John Lundberg	• Matt Marrazzo
• Christina Chapman	• Luke Marrazzo
• Steven Osvatics	• Ben Rinary (on behalf of Kevin Ellis)
• Sloan Casey	• Dale Carpenter
• AJ Lancaster	• Patrick Pennefather

• Evan Casey	• Megan Marrazzo
• James Fox	• Megan O'Brian
• Josh Phillips	• Maria O'Brian
• Melanie Salins	• Mike Salins
• John Gaetano	

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

Mr. Butler stated that based on the feedback he has received, there are more constituents in the County who support the establishment of a Warren County Library board than those present in this room who are against it. Furthermore, Samuel's library inc. is a contractor and as a contractor, the purpose of establishing the library board is not to replace the board of trustees but to provide governance, and it's also to provide policy. The primary goal is developing policy governance.

Ms. Cook stated that she attended the Samuel's Public Library Public Forum on Saturday the 7th and that it was very informative. She then emphasized that this ordinance is not about government overreach, but about government oversight of tax dollars for public library services for the community and believes there are 5 primary types of oversight: Transparency, Fiscal Responsibility, Accountability, Taxpayer Representation, Communication. She further stated that she believes this ordinance is a good step forward to providing transparent and efficient County Library services.

Mr. Stanmeyer commented that he was unable to attend the recent Library forum in person but did watch a recording of the Wednesday session and reviewed the accompanying presentations. He then stated that this was a procedural change to delegate certain powers to a committee that still must make a budget request to the Board of Supervisors. Additionally, a library board is the standard in 95% of Virginia and it's provided for in the state code and creates clear lines of taxpayer representation and accountability. The County also has various Boards and Committees charged with overseeing other public or private partnerships. The Library Board can make sure that subcontracts and services are competitively sourced and FOIA available and overall money is spent wisely.

Dr. Jamieson stated that Samuel's library is widely recognized as a library that provides quality services to its patrons, has a friendly and welcoming staff, and that the recent report was not an evaluation of the service levels provided by Samuel's library on behalf of Warren County. Rather, the report addresses "less visible" matters relating to taxpayer representation and decision making regarding the funding and policy making associated with public library services. Additionally, the proposal to establish a Warren County library board can be sealed into two basic supporting pillars. The first pillar is the essence of representative governance taxpayers fund public services and taxpayers who vote in elections to choose representatives to whom they delegate the task of overseeing public funds, public policy, and the budgets to carry them out. The second pillar is economics, in which public-private partnerships enable governments to provide services more economically than they could provide them.

Ms. Cullers commented on her own approach to the Budget Process and scrutinizing the appropriations of funds for various agencies and departments, and her decisions regarding the approval of accounts with the use of taxpayer dollars. Additionally, Ms. Cullers urged for more due diligence and to ask questions regardless of if they are appreciated or not and feels like the proposed Ordinance is being rushed through and there are too many questions that remain unanswered, emphasizing the need to be certain that the County is going in the right direction, and does not feel that the Board has gotten all the answers to make that decision at the current point. Therefore, Ms. Cullers then made a motion to table this for further investigation and to answer all given questions for a future presentation. However, there was no second and the motion failed as a result.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board adopted the proposed Ordinance to add Chapter 7 for the formation of a Warren County Library Board.

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

New Business:

Consent Agenda:

1. Contract Renewal - LaBella Associates for Engineering Services
2. 2025 Board of Supervisors Legislative Initiatives
3. Citizen Re-Appointment - Walter Mabe to the Warren County Social Services Advisory Board, Shenandoah District
4. Fire and Rescue Cancer Protections - Secondary Sets of PPE Initiative
5. Fire and Rescue EMS Physician - Operational Medical Director
6. Contract Renewal - H B Henry Construction, LLC (**removed**)
7. Authorization to Advertise for Public Hearing CUP2024-11-01 - Amber R Jones - Short-Term Tourist Rental
8. Authorization to Advertise for Public Hearing - Z2024-11-01 - Conditional Use - Warren County Planning Staff (**removed**)
9. Authorization to Advertise for Public Hearing - Z2024-11-02 - Adult Business - Warren County Planning Staff (**removed**)
10. Chiller Replacement at Public Safety
11. Grant Acceptance - SRT Small Rural Tribal Body Worn Camera
12. Purchase of Tractor - Shenandoah Farms Sanitary District

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

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 adjourned at 2:08 AM.

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