

At a Closed Meeting and Work Session of the Board of Supervisors of Warren County held in the Warren County Government Center on March 18, 2025, at 7:00 PM.

Present – Warren County Board of Supervisors and County Staff: Jerome K. Butler, Chair (Happy Creek District); John W. Stanmeyer, Vice Chair (Shenandoah District); Cheryl L. Cullers, Chair (South River District); Victoria L. Cook, (Fork District); Richard A. Jamieson, (North River District); also, Jason J. Ham, County Attorney; Edwin C. Daley, County Administrator; Kelly Wahl, Planner; Chase Lenz, Zoning Administrator; Zachary Henderson, Deputy Clerk to the Board of Supervisors

Call to Order:

Mr. Butler called the meeting to order at 7:00 PM with an opening prayer from Pastor Randy DeSantis.

Adoption of the Agenda:

On a motion by Ms. Cullers, seconded by Ms. Cook, and the following vote, the Board adopted the agenda as amended to strike item P-4 Authorization to Advertise for Public Hearing - CUP2025-02-01 - Short-Term Tourist Rental - Vesta Properties, and add Item Q, Purchase of a Vehicle for Information Technology.

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

Treasurer – Update on Investment Accounts:

Dr. Daley stated that the Treasurer was not present for the meeting, but the update has been included in the packet, and any questions regarding the content can be submitted via email.

Public Comment Period for Agenda Items (*below is a list of citizens who spoke at the Public Comment Period*):

1. **Lewis Moten:** voiced his concerns about the current agenda structure regarding public comment period stating that it impacts public engagement and makes community input feel like an afterthought.
2. **Josh Mongold / Lynn Altizer:** spoke as representatives of the American Red Cross regarding the proclamation for Red Cross Awareness month and they work the do as an organization.

Board Reports:

- **Ms. Cullers reported the following:**
 - March 5th Attended a School Board meeting where the budget was discussed
 - March 7th Attended the Coffee and Conversation where Sheriff Cline was the guest speaker.
 - March 10th Attended a meeting with Samuel's Public Library
 - March 10th. Attended a meeting at the Browntown Community Center and mentioned the upcoming Redbud festival scheduled for April 26th.
 - March 11th Attended the last of 3 disaster training class in Staunton
 - March 12th Attended the Tourism committee meeting in Warren County and continue to work on gathering stakeholders and sharing ideas and workshops.
 - Met with Sheriff Cline to go over the budget for her department.
 - Attended the transportation and infrastructure committee meeting and talked about various road projects such as Thompson Hollow, Boyd Mill, South Street, and the 66 Emergency exit in Shenandoah Shores.
 - March 14th Attended Pi Day at the Department of Social Services with her grandson.
 - March 14th Attended a showing of "Join or Die" at Royal Cinemas
 - March 18th Attended a CPMT meeting
 - Met with Dr. Ballenger regarding the School's Budget.

- Congratulated Skyline Wrestling and recognized Hannah Anderson who just received an FFA Degree.
- **Mr. Stanmeyer reported the following:**
 - Attended the transportation and infrastructure committee meeting and emphasized that the proposed 66 Exit at Shenandoah shores will be for emergency responders only.
 - Met with Sheriff Cline on the 20th to discuss their budget and department needs.
 - Attended a meeting of the Shenandoah Farms Sanitary District Advisory Committee.
- **Mr. Butler reported the following:**
 - On March 10th Attended the meeting with Parks and Recreation on Advisory Committee with Ms. Tiffany Walker.
 - Attended the last of 3 disaster training classes in Staunton with Ms. Cullers
 - Met with Sheriff Cline to discuss their budget and department needs.
 - Attended the Finance & Audit Committee meeting with Ms. Cook.
 - Commented on a constituent call regarding speeding on a road near his house and going through the proper channels to make complaints and comments.
- **Dr. Jamieson reported the following:**
 - Stated that VDOT released phase 1 report of the ongoing Rail Trail project and attended a virtual call with the Friends of the Shenandoah Rail Trail to discuss VDOT's report.
 - Stated that on April 10th VDOT will have public input meeting to discuss phase 1.
 - Met with Sheriff Cline to discuss their budget and department needs.
 - Met with the director of the Economic Development Authority regarding sports tourism in correlation to the Rockland Park project and it's potential benefits for the County as a whole.
- **Ms. Cook reported the following:**
 - Attended a Finance & Audit Committee meeting and stated that there is an open vacancy and encouraged qualifying candidates to apply and commented on the near completion of the Fire and Rescue Fiscal Policy, and the next policy will be focused on Sanitary Districts.
 - Met with Sheriff Cline to discuss their budget and department needs.
- **Dr. Daley reported the following:**
 - Reminded the Board that there will be a meeting on the following Tuesday to meet with the School Board regarding the School's budget request, and there will be a discussion regarding the ongoing reassessment process.
 - Stated that a Special Meeting needed to be called at 4:30PM Tuesday March 25th to consider an unsolicited bid for Library Services.
- **Mr. Ham had no report**

Appropriations and Transfers:

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

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

Approval of Accounts:

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

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

Approval of Minutes – March 4th, 2025:

On a motion by Ms. Cullers, seconded by Dr. Jamison, and the following vote the Board approved the minutes for March 4th, 2025, as presented.

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

Unfinished Business:

Z2024-11-01 - Conditional Use Zoning Text Amendments - Warren County Planning Staff:

Mr. Lenz stated that following the public hearing before the Board of Supervisors held on February 18, 2025, the Board of Supervisors tabled this text amendment item and requested Planning staff revise the draft ordinance to change the proposed expiration process to allow for the permit holder to request an extension within a 60-day timeframe after receiving notice of conditional use permit expiration and for the Board of Supervisors to render the final decision to expire a conditional use permit.

The draft ordinance now proposes the expiration procedures for a conditional use permit be established under a separate subsection with procedures for expiration and requesting an extension from the Board of Supervisors. The expiration procedures would apply to any conditional use permit where the permitted use has not been established within a three-calendar year timeframe or if the permitted use has been abandoned for three calendar years. The proposed subsection will require the Zoning Administrator to send a certified notice of impending conditional use permit expiration to the permit holder and grant the permit holder 60 days from receipt of the notice to apply for a conditional use permit extension. The procedures for requesting an extension from the Board of Supervisors will remain the same; however, the proposed text amendment would add a \$100 application fee to request the extension.

The proposed text amendment will add a requirement to the termination procedures for the Planning Commission to hold at least one public hearing prior to making a recommendation to the Board of Supervisors. This change was requested by the Planning Commission and the public after hearing a request for termination of a conditional use permit last year.

The draft also proposes a restriction on reapplying for a conditional use permit within six months of denial by the Board of Supervisors. The locality is granted the express power to establish such an ordinance by Code of Virginia §15.2-2310 which states (for applications for special exceptions (conditional use permits) and variances), "Any locality may provide by ordinance that substantially the same application will not be considered by the board within a specified period, not exceeding one year." Planning staff originally proposed a one-year reapplication restriction; however, the Planning Commission believed a six-month timeframe to be more appropriate. A one-year delay in reapplying for a denied conditional use permit has been adopted by many jurisdictions in the Commonwealth.

On a motion by Ms. Cook, seconded by Mr. Stanmeyer, and the following vote, the Board approved the proposed amendment.

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

Public Hearings:

CUP2025-01-01 - Short-Term Tourist Rental - Natasha Nyirongo-Gaillard & Gabriel Gaillard:

Mr. Lenz stated that the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in December of 2023. The owners would like to make the property available for short-term lodging for tourists and visitors to the Warren County area. Primarily residing within the same section of the Shenandoah Farms subdivision, the applicants will serve as the local property managers to oversee maintenance, cleaning, and the booking of rental requests

Mr. Butler opened the public hearing and Mr. Lewis Moten spoke to the Board expressing his concerns regarding if the applicants current CUPs have made a positive impact on tourism and asked if they have reached out to neighbors and if they have adequately addressed any concerns they may or may not have.

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

On a motion by Mr. Stanmeyer, seconded by Ms. Cook, and the following vote, the Board approved the conditional use permit request of Natasha Nyirongo-Gaillard & Gabriel Gaillard for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff.

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

CUP2025-01-02 - Short-Term Tourist Rental - Natasha Nyirongo-Gaillard & Gabriel Gaillard:

Ms. Wahl stated that the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in July of 2023. The applicants would like to make the property available for short-term lodging for visitors of Warren County while creating job flexibility for themselves. Residing permanently only a half mile away from the property, the property owners will manage the property themselves, overseeing all aspects of the rental property including maintenance, cleaning, and the booking of rental requests.

Mr. Butler opened the public hearing and the applicant, Ms. Nyirongo-Gaillard spoke on behalf of her application stating that the properties she has been purchasing are delapidated properties and fixing them up for rentals and this has become her full time job, and that her intent is not to take homes away from families who are looking to live here full time.

Lewis Moten spoke to the Board and expressed his concerns about the proper proof to show these properties are delapidated and suggested that moving forward, reports of Sheriff or CUP complaints be provided prior to approvals.

There were no additional comments from the 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 conditional use permit request of Natasha Nyirongo-Gaillard & Gabriel Gaillard for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff.

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

Z2025-01-01 - Bicycle Shop Zoning Text Amendments - Downriver Adventure Company, LLC (Mark Harris):

Mr. Lenz stated that attached in their packet is a draft ordinance to amend Chapter 180 of the Warren County Code to amend §180-8C to add a definition for bicycle shop, to amend §180-21D to add bicycle shop as a use permitted by conditional use permit in the Agricultural (A) zoning district, and to enact §180-35.2 to add supplementary regulations for bicycle shop. This zoning text amendment application was submitted by Mark Harris on behalf of the Downriver Adventure Company, LLC. The applicant recently acquired the Downriver Canoe Company canoe outfitter business located at 884 Indian Hollow Road and is seeking to add retail sales, rentals, and repairs of bicycles to the goods and services offered by the existing business. Upon review of the intended land use with the applicant, Planning staff determined the current Agricultural zoning district regulations do not permit bicycle shops and that a text amendment is necessary to add the intended use to the Agricultural district regulations as a land use permitted by conditional use permit with a new definition and supplementary regulations.

Mr. Butler opened the public hearing and Mr. Mark Harris spoke to the board on behalf of the text amendment stating that he recently purchased Down River Canoe company and are looking to expand their scope of services to include bike trails and that the State Park is fully on board with them in support.

There were no additional comments from the 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 proposed amendment.

Ms. Cullers, abstain – due to her Husband and son owning the property; Mr. Stanmeyer, Aye; Mr. Butler, Aye; Dr. Jameison, Aye; Ms. Cook, Aye

CUP2025-01-03 - Bicycle Shop - Downriver Adventure Company, LLC (Mark Harris):

Mr. Lenz stated that the applicant is requesting a conditional use permit for a bicycle shop. The applicant, Mark Harris, recently acquired the canoe outfitter business, Downriver Canoe Company, located at 884 Indian Hollow Road and would like to add retail sales, rentals, and repairs of bicycles to the goods and services offered by the existing business. The applicant intends to use the existing shop and parking infrastructure to include the existing canoe outfitter business with the addition of bicycle sales, rentals, and repairs. Mr. Harris has also applied for the necessary concurrent text amendment to add bicycle shop as a use permitted by conditional use permit in the Agricultural (A) zoning district with a new definition and supplementary regulations. The proposed text amendment to Warren County Code §180-8C defines Bicycle Shop as, “A retail or services establishment where bicycles and related bicycling equipment are sold, rented, or repaired.”

Mr. Butler 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. Stanmeyer, and the following vote, the board approved the conditional use permit request of Downriver Adventure Company, LLC (Mark Harris) for a bicycle shop with the conditions as recommended by the Planning Commission and staff.

Ms. Cook, Aye; Dr. Jameison, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye; Ms. Cullers, Abstain - due to her Husband and son owning the property

CUP2025-01-04 - Artisan and Craftsman Trades Facility - W. Allen Nicholls & Kelly Walker:

Mr. Lenz stated that the applicants are requesting a conditional use permit for an artisan and craftsman trades facility to allow for the use of an existing accessory building (home art studio) for quilting classes. The owners currently offer painting and quilting classes at The Studio on Main Street in Front Royal and they would like to alleviate the challenge of having to change the classroom setup for each type of class by moving the quilting classes to their home studio. The classes will be held in half-day sessions with a maximum of ten (10) students, typically twice a week. The owner, Kelly Walker, is the instructor and sole employee.

Mr. Butler 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. Cullers, seconded by Dr. Jamieson, the board approved the conditional use permit request of W. Allen Nicholls & Kelly Walker for an artisan and craftsman trades facility with the conditions as recommended by the Planning Commission and staff.

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

CUP2025-01-05 - Short-Term Tourist Rental - Paul Balserak:

Ms. Wahl stated that the applicant is requesting a conditional use permit for a short-term tourist rental for the property owned by his stepmother and late father. The applicant would like to make the property available for short-term rental to visitors wishing to explore Warren County during periods when he and his family are not utilizing it, thereby generating additional income. This property has been in the family for more than twelve years, and the applicant aims to honor his late father's devotion to the care and enjoyment associated with the property. The property will be managed by a fellow Browntown resident, Mike Noel.

Mr. Butler opened the public hearing and the applicant, Mr. Paul Balserak, spoke on behalf of his CUP speaking on his love for the valley and was appreciative of Ms. Wahl's efforts on this application.

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

On a motion by Ms. Cullers, seconded by Ms. Cook, and the following vote, the Board approved the conditional use permit request of Paul Balserak for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff.

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

NEW BUSINESS:

Consent Agenda:

1. Approval of revised Administrative Services Manager job description and grade
2. Reclassification of Administrative Assistant to Accounting Technician I
3. Proclamation - Red Cross Awareness Month
4. Authorization to Advertise for Public Hearing - CUP2025-02-01 - Short-Term Tourist Rental - Vesta Properties (W. Properties LLC) (struck)
5. Authorization to Advertise for Public Hearing - CUP2025-02-03 - Short-Term Tourist Rental - Paul Bell
6. Authorization to Advertise for Public Hearing - CUP2025-02-04 - Short-Term Tourist Rental - Elizabeth Baxter and Saurabh Prakash
7. Amendment to Lease Agreement of Hangar B12 to Kirk McComas
8. Warren County Planning Commission Annual Report – 2024
9. Citizen Appointment - David Brotman to the Agricultural and Forestal District Advisory Committee
10. Contract Renewal - ACOM, LLC Contract
11. National Procurement Month Proclamation
12. Amendment to Lease Agreement of Hangar B19 to Rock Skowbo
13. Amendment to Lease Agreement of Hangar B18 to Rock Skowbo
14. Amendment to Lease Agreement of Hangar B15 to Rock Skowbo
15. Amendment to Lease Agreement of Hangar B16 to Rock Skowbo
16. Amendment to Lease Agreement of Hangar B10 to Kenneth McCoy
17. Authorization to Advertise for Public Hearing - Warren County Comprehensive Plan
18. Engagement Letter Approval for Colin Baenziger & Associates for County Administrator Recruitment
19. Authorization to Advertise for Public Hearing - Ordinance Amending Warren County Code §160-23 and enacting § 160-23.1 regarding Roll Back Taxes
20. Rail to Trail Letter of Support

On a motion by Ms. Cullers, seconded by Dr. Jamieson, and the following vote, the Board approved the consent agenda as amended from the Adoption of the Agenda.

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

Additional New Business:

Purchase of Information Technology Vehicle:

Mr. Jones stated that the Information Technology Department is requesting a utility van that will allow them to carry equipment in a much more appropriate manner after utilizing older vehicles that frequently have maintenance issues.

Dr. Daley stated that Mr. Jones has been looking for a vehicle for approximately 6-months and the reason for not waiting until July 1st is that this vehicle can be purchased from the assets account and have it for a good price that will not hold long.

Ms. Scott reminded the Board that they approved the purchase of a vehicle in 2023, but the dealership fell through, and the vehicle was not able to be obtained.

On a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board approved the purchase of a 2015 Ford F-150 Utility Van at the cost of \$22,792 from Marlow Motors.

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

Public Comment Period - General (*below is a list of citizens who spoke at the Public Comment Period*)

1. **Smantha Good:** voiced her support for Samuel's Public Library and addressed their meeting on December 17th and affirmed that all proper notices and legalities were met with advertising the meeting as well as their recent amendment to their articles of corporation.
2. **Rebecca Altizer:** voiced her support for Samuel's Public Library and read from a book that had been requested for removal by Eric Belk.

Adjournment:

On a motion by Ms. Cook, the meeting was adjourned at 8:51 PM