

At a Closed Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on July 15, 2025, at 6:00 PM.

Present – Warren County Board of Supervisors and County Staff: Jerome K. Butler, Chair (Happy Creek 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.

Present Remotely - John W. Stanmeyer, Vice Chair (Shenandoah District)

Mr. Stanmeyer stated that he is presenting remotely from Outer Banks.

At 6:00 PM, on a motion by Ms. Cook, seconded by Dr. Jamieson, and the following vote, the Board entered into a closed meeting under Section 2.2- 3711(A)(1) for the discussion or consideration of the assignment, appointment, promotion, demotion, salaries, and resignation of a specific public officer of the public body. The subject matter is applicants for the County Administrator position. Additionally, the Board entered into a closed meeting under Section 2.2-3711(A)(29) for the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and 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. The subject matter is Library Services. Lastly, 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 matter is Chapter 142 of the County Code and state law regarding road naming.

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

At 7:00 PM, on a motion by Ms. Cook, 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), (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; Mr. Butler, Aye; Mr. Stanmeyer, Aye; Ms. Cullers, Aye

At a Regular Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on July 15, 2025, at 7:00 PM.

Present – Warren County Board of Supervisors and County Staff: Jerome K. Butler, Chair (Happy Creek 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; Mike Berry, Public Works Director; Chase Lenz, Zoning Administrator; Matt Wendling, Planning Director; Zachary Henderson, Deputy Clerk to the Board of Supervisors.

Present Remotely - John W. Stanmeyer, Vice Chair (Shenandoah District)

Call to Order:

Mr. Butler called the meeting to order at 7:00 PM with a moment of silence. Mr. Stanmeyer stated that he is participating remotely from North Carolina.

Adoption of Agenda:

Ms. Cook stated that she would like to strike item O “Request for Waiver to Code Sections 80 Numbering of Buildings and 142 Road Naming Requirements to Name Right-of-Way off Lower Valley Road”

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

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

Warren County Sheriff's Office Promotion and Staffing Report:

Major Jason Winner introduced five new deputies and internal promotions for the Warren County Sheriff's Office

Treasurer - June 30th, 2025, Account Balances:

Ms. Shanks was not present at the meeting and Ms. Cook stated that this was discussed during the Finance Committee meeting the day before this meeting.

Presentation - Appaloosa Festival:

Mr. Dan Fedoryka spoke to the Board about the upcoming Appaloosa Music Festival, the increased attendance as they are celebrating their 10th year this year, the economic impact on the County, and is now looking to partner with the County as a key sponsor.

Public Comment Period for Items on the Agenda:

1. **Craig Tabor** – spoke on behalf of his wife and neighbors opposing the request for Waiver to Code Sections 80 Numbering of Buildings and 142 Road Naming Requirements to Name Right-of-Way off of Dogwood Farm Rd, emphasizing that the County Code Chapter is poorly written and in need of revision as it does not reflect the current reality or technologies.
2. **Kathleen Mancini** – commented on the waivers for short-term tourist rentals, emphasizing the laws to protect homeowners need to be enforced like other laws and there should be no waivers involved, stating that the 100-foot regulation is there for the protection of residential neighborhoods.

Board Reports:

- **Ms. Cook reported the following:**
 - Attended the recent Finance/Audit Committee meeting which discussed the Appropriations and Transfers slated for approval and discussed the P-Card report and working with employees to ensure the purchase descriptions are completed properly.
- **Dr. Jamieson reported the following:**
 - Attended the Finance/Audit Committee meeting and is looking forward to continuing to participate in those meetings and will ultimately become a Board representative for them.
- **Mr. Butler reported the following:**
 - Attended the fireman's parade and rode with Chief Bonzano.
 - On July 15th: Attended the Regional Transportation Meeting in Winchester
 - Commented on Data Centers and hopes that Warren County never turns into a place that has them.
- **Mr. Stanmeyer reported the following:**
 - Deferred to Mr. Berry who provided the Board with an update on road projects in Shenandoah Farms, including Old Oak, Lake Drive, High Top, Youngs Drive, etc.
- **Ms. Cullers reported the following:**
 - On July 8th: attended a zoom meeting with a member of a marketing firm that deals with Valley Health and Warren Memorial Hospital

- Reminded the public on the Spongy Month issue and suggested residents to contact their supervisors with their address so that the state Forestry Department can start the process identifying areas of concern.
- Met with the interim School Superintendent
- On July 9th: Attended the fireman's parade to support the Fire departments.
- On July 10th: Attended a Building Committee meeting and emphasized a discussion on the clock tower at the Courthouse and the difficulties finding proper maintenance with it.
- On July 11th: Worked the food shack at the Fireman's carnival
- Commented on the recent storm damage done to the South River district and VDOT's efforts in road and culvert repairs despite multiple storms.
- Commented on a recent Northern Virginia Article about data centers, and a text she received from a resident calling her a liar because of the article. And further stated that misinformation and inaccurate information has spread over several issues have "plagued" the County over the last few years and hopes the community continues to see what truly is going on in your local government.
- **Dr. Daley reported the following:**
 - Reminded the Board that the next Regular meeting will be on Wednesday August 6th, and that Dr. Martin will come to the Board's work session on August 12th.
- **Mr. Ham has 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. Cook, Aye; Dr. Jameison, Aye; Mr. Butler, Aye; Mr. Stanmeyer, Aye; Ms. Cullers, 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. Cullers, No; Mr. Stanmeyer, Aye; Mr. Butler, Aye; Dr. Jamieson, Aye; Ms. Cook, Aye

Approval of Minutes - June 24th Special Meeting:

On a motion by Dr. Jamieson, seconded by Ms. Cook, and the following vote, the Board approved the Minutes for June 24th as presented.

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

UNFINISHED BUSINESS:

Termination Procedures for CUP2023-04-02 - Roman Semenov:

Mr. Lenz stated that the Conditional use permit 2023-04-02 for short-term tourist rental at 259 Cashmere Court was approved and issued by the Board of Supervisors on July 18, 2023. Since that date, Planning staff have received a total of 8 separate incident reports from the Warren County Sheriff's Office for the subject property, 5 of which document separate violations of Warren County Code §180-56.4C, which restricts the parking of vehicles in or along rights-of-way for short-term tourist rentals. The incident reports were requested by Planning staff on Monday, February 26, 2024, upon receipt of a complaint for which the complainant indicated the Sheriff's Office was contacted. Planning staff immediately contacted the applicant and encouraged them to take measures to enforce the parking restrictions to resolve this issue. Planning staff received the final incident report dated April 27, 2024, confirming a fifth violation of Code §180-56.4C. Upon receipt of the final incident report, Planning staff initiated conditional use termination procedures. Attached is the required notice of termination procedures letter issued to the applicant on April 29, 2024.

Code §180-63H(2)(c) lists repeated violations of other provisions in the Code of Warren County as a reason for which the Board of Supervisors may terminate an active conditional use permit. The complete Code §180-63H regarding procedures for termination of a conditional use is included below. As the Zoning Administrator, it is my opinion that the Board of Supervisors should terminate conditional use permit 2023-04-02 for repeated violations of Warren County Code §180-56.4C.

On July 16, 2024, the Board passed a motion to table the decision for this item to be brought back if the applicant's measures do not resolve the issues. Since that time, Planning staff have received no further complaints or incident reports from the Sheriff's Office. Staff recommend the Board keep the conditional use permit active at this time. Staff can restart the termination process if further issues arise.

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board kept Conditional Use Permit 2023-04-02 active to allow the continued use of 259 Cashmere Court as a Short-Term Tourist Rental.

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

Reconsideration of CUP2025-04-01 - Short-Term Tourist Rental - 311 Golden Russet Dr:

Mr. Lenz stated that at a regular meeting on July 1st, 2025, moved to deny the conditional use permit request CUP2025-04-01 - Short-Term Tourist Rental - 311 Golden Russet Dr, resulting in a 3-2 vote in favor of denial and this item tonight is to reconsider that decision.

Dr. Daley confirmed that the proposal to reconsider this was made at the July 1st meeting and Mr. Ham had recommended this be moved to tonight's agenda. This is not a vote to approve the CUP, this is a vote to reconsider the prior vote.

On a motion by Ms. Cullers, seconded by Dr. Jamieson, and the following vote, the Board reconsidered the conditional use permit request CUP2025-04-01 - Short-Term Tourist Rental - 311 Golden Russet Dr and further moved to table this item.

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

Request for Waiver to Code Sections 80 Numbering of Buildings and 142 Road Naming Requirements to Name Right-of-Way off of Dogwood Farm Rd:

Mr. Wendling stated that the request to waiver was discussed at the recent work session with the Board of Supervisors and the property owner who would be impacted by this had some concerns relating to the changing of his address.

On a motion by Ms. Cook, seconded by Mr. Stanmeyer, and the following vote, the Board took no action at this time.

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

PUBLIC HEARINGS:

Public Hearing: Z2025-05-01 - Zoning Text Amendments for Accessory Dwelling Units - Warren County Planning Staff:

Mr. Lenz stated that the Board received a draft ordinance to amend Chapter 180 of the Warren County Code to amend subsection 180-8C to add a new definition for accessory dwelling unit and to repeal the existing definition for guesthouse, to enact subsection 180-21C(12) to make an accessory dwelling unit, attached to or located within an existing principal structure, an accessory use that is permissible by right provided that it is accessory to an existing principal single-family dwelling, to amend subsection 180-21D(10) to replace the listed guesthouse use with accessory dwelling unit, detached from an existing principal structure, to make detached accessory dwelling units permissible only by conditional use permit in the Agricultural zoning district, and to enact subsection 180-

30.2 to add supplementary regulations for accessory dwelling units. These text amendments are being requested by Planning staff following the recent adoption of the Warren County Comprehensive Plan which identifies accessory dwelling units as a potential source of secondary housing in the Agricultural district.

The proposed definition for accessory dwelling unit (ADU) is *"A subordinate dwelling unit located on the same lot as a principal single-family dwelling that includes permanent provisions for living, sleeping, eating, cooking, and sanitation. The accessory dwelling unit shall comply with the supplementary regulations set forth in §180-30.2 of this chapter."*

The proposed listed uses for ADUs in the Agricultural zoning district regulations break down the use for units attached to or located within the existing principal structure to be permissible by right and for units detached from an existing principal structure to be permissible only by conditional use permit. The draft ordinance replaces the existing guesthouse land use currently permissible only by conditional use permit in the Agricultural zoning district. Guesthouses are, by definition, limited to temporary occupancy for nonpaying guests, which has led to enforcement challenges and deed maintenance necessary to ensure purchasers of properties with guesthouses are aware of those limitations. Unlike guesthouses, ADUs can be occupied as permanent residences and rented out long-term for compensation. Replacing the guesthouse use with an ADU use will allow for ADUs to be a permanent housing solution while eliminating the enforcement challenges of guesthouses.

As identified in the recently adopted Warren County Comprehensive Plan, Warren County is no exception to the recent trend of an aging population in Virginia. The aging population throughout Virginia is expected to grow exponentially between now and 2030 due to the onset of retirement age of the Baby Boomer generation. In response, the Comprehensive Plan calls for the County to adopt more flexible zoning and subdivision policies that would help foster a diverse range of housing types, including ADUs. Adoption of an ADU ordinance is referenced under the Zoning Related Incentives implementation item for Chapter 3 Natural Resources of the Comprehensive Plan. Multiple objectives for goals outlined in Chapter 4 Growth Management and Land Use of the Comprehensive Plan reference exploration of the allowance of ADUs as secondary housing on lots in the Agricultural zoning district. As stated in the Comprehensive Plan, "The adoption of an ADU ordinance would allow for the thoughtful distribution of additional housing in the Agricultural zoned district for long-term housing for families and workforce and not for transient rentals or short-term tourist rentals."

An ADU ordinance will also provide an alternative to family subdivisions for the construction of a secondary dwelling for a family member on a single lot, rather than having to subdivide a new lot for the construction of the dwelling as a principal structure. This will help provide a secondary housing option for owners who do not qualify for a family subdivision and should reduce the number of applications for subdivision variances to reduce the required 5-year timeframe for an owner to hold fee simple title to their property prior to qualifying for a family subdivision.

Mr. Butler opened the public hearing, and Chris Anderson spoke as the Page and Warren County Coordinator for the Alliance of the Shenandoah Valley and expressed her concerns about encouraging more residential development in the agricultural areas of the County, emphasizing that it goes against the comprehensive plan.

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

Mr. Stanmeyer commented on the 750 square foot minimum, and that it was his understanding that there is a desire to preclude tiny homes which are typically under 400 square feet, stating that he would like to see the minimum drop from 750 square feet to 450 square feet.

Dr. Jamieson stated that it was his understanding that this is an effort to facilitate the addition of housing stock in a managed way. Mr. Wendling stated that this is an option for the County in the sense that many times there will be

families who are looking to have family members close by or living and working in the county as well as older family members who are aging out of their house.

Mr. Lenz stated that, according to the comprehensive plan, the goal is to direct future development into an efficient and serviceable form that will preserve the County's predominately rural character.

Ms. Cook commented that the Ordinance is very broad, and while the intent is to help family members and provide more affordable housing options, the Ordinance itself does not emphasize any of that and is open ended.

Ms. Cullers expressed a concern about the acreage, emphasizing that 5-acres at least would be better than the lower acreage and the amount of density it would bring, as well as unforeseen consequences in the future.

Mr. Stanmeyer made a motion to approve the proposed amendment with an adjustment to section F to change the 750 square feet minimum ADU size down to 450 square feet. Prior to the role call, Ms. Cullers stated that she would like to add a second amendment for it to be no less than 5 acres.

On a motion by Mr. Stanmeyer, seconded by Dr. Jamieson, and the following vote, the Board approved the ordinance as amended with the change to 180-30.2 F to change from 750 square feet to 450 square feet, and that this matter be held open for this meeting for the consideration of additional amendments to the zoning text amendment.

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

On a motion by Ms. Cullers, seconded by Mr. Butler, a vote was cast to add an additional amendment to change the minimum acreage to 5 instead of 3.5.

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

Public Hearing: Z2025-05-02 - Zoning Text Amendments for Agritourism Activities - Warren County Planning Staff:

Mr. Lenz stated that the Board received a draft ordinance to amend Chapter 180 of the Warren County Code to amend subsection 180-21B(17) to make only agritourism activities found by the Zoning Administrator to not have a substantial impact on the health, safety, or general welfare of the public permissible by right in the Agricultural zoning district, to enact subsection 180-21D(50) to make agritourism activities found by the Zoning Administrator to have a substantial impact on the health, safety, or general welfare of the public permissible only by conditional use permit in the Agricultural zoning district, and to amend subsection 180-31.1 to modify the supplementary regulations for agritourism activities.

These text amendments are being requested by Planning staff at the recommendation of the County Attorney to allow the County to regulate agritourism activities based on an assessment of whether the activities have a substantial impact on the health, safety, or general welfare of the public. Code of Virginia §15.2-2288.6 restricts the locality from regulating agritourism activities unless there is a substantial impact on the health, safety, or general welfare of the public. As such, the draft ordinance differentiates agritourism activities found to have a substantial impact on the health, safety, or general welfare of the public from agritourism activities found to not have a substantial impact on the health, safety, or general welfare of the public and only requires a conditional use permit for agritourism activities found to have a substantial impact on the health, safety, or general welfare of the public.

The changes to the listed uses were recommended by the County Attorney and match the breakdown and regulation of agritourism activities from Shenandoah County's zoning ordinance. Planning staff believe updating

the supplementary regulations to include procedures for the submission, review, determination, and appeal process is appropriate for the public to see the full process all in one place.

Mr. Butler opened the public hearing and Ms. Cullers asked, in correlation to subsection 180-31.1 to modify supplementary regulations, if the Board still approves of the modifications done by staff.

Mr. Lenz stated that it is included in the text amendment and strikes the existing supplementary regulations and has a paragraph describing the procedure for how to apply for the determination of whether there's a substantial impact.

Ms. Cullers then asked what the process would be if an individual wanted to appeal the determination. Mr. Lenz stated that it will be subject to the Board of Zoning Appeals and go through their typical appeal process for a determination.

Dr. Jamieson stated that one of his concerns is a lack of objective standards and asked Mr. Lenz and/or Mr. Wendling how they quantify a substantial health, safety, and welfare impact. And what objective standards are there that doesn't become a subjective matter.

Mr. Ham then recommended this item be tabled, emphasizing that if the Board had a lot of substantial questions, then a closed session should be held with the Board, Planning staff, and himself.

Below is a list of citizens who spoke regarding this public hearing:

1. **Edwin Wright:** emphasized the value of Agritourism and its value for local farmers as well as the community and its protection from the state unless there are substantial implied negative impacts. The text amendment seems to flip that intent, expressing a concern about the objectivity of the standards and seems to be arbitrary and capricious.
2. **Melanie Salins:** stated that she would like to know which specific section of 2.2-3711 the Board is claiming FOIA exemption under, emphasizing that section 8, as written in the agenda, specifically states that nothing in the subdivision shall be construed to permit the closure of a meeting merely because of an attorney representing the public body in attendance or has consulted on a matter. Further stating that this is a public ordinance and the public deserves to be in the conversation, as this ordinance will have a great negative impact on working farms and residents who enjoy them.
3. **Amber Martin:** spoke in opposition to the proposed Agritourism Amendment, emphasizing there is no clear list of what the 50 activities actually and landowners will have no way of knowing what is covered or how it might affect existing or future uses.
4. **Mike Salins:** requested that the Board vote against this item, emphasizing this ordinance will make it more difficult and expensive for many people to do the simple things that they have been able to do in the past, and make it a hassle for people to do anything with their land.

On a motion by Ms. Cullers, seconded by Mr. Butler, and the following vote, the Board tabled this item for more information.

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

NEW BUSINESS:

Consent Agenda:

1. Festival Permit Request from Jim Clark (Appaloosa Blue Ridge Arts Foundation) for the 2025 Appaloosa Music Festival
2. Sole Source Award Recommendation: Leica Geosystems
3. **Contract - Walnut Hollow Farm, LLC Contract for Hay Harvest (pulled for discussion)**

4. FY26 Opioid Abatement Authority Cooperative Partnership
5. Sandoz Participation Form for Opioid Cases
6. Representative Appointments to the Community Policy and Management Team (CPMT) for the Community Services Board

Dr. Jamieson pulled item R-3 Contract - Walnut Hollow Farm, LLC Contract for Hay for discussion.

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

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

Contract – Walnut Hollow Farm, LLC Contract for Hay Harvest (pulled for discussion)

Dr. Jamieson stated that based on his observations when looking through the contract, there is a requirement to provide SCC (State Corporation Commission) registration information or an option to say that it is not a corporation limited liability company or limited partnership. He emphasized inconsistencies given that this is contract with an LLC, and the contract says that it is not an LLC and there is a federal ID tax number, additionally the State Commission for Walnut Hollow Farm is in Luray Virginia and is assigned to a name that is not the name of the person on the contract, and suggested this could be tabled to address these properly.

Mr. Butler then asked if there were any other applicants for this. Ms. Scott stated that this was issues as a solicitation for the award of a contract for a contractor to bail hay on one of the County's properties, and she does not believe there were any other bidders or offers for this.

Ms. Cook agreed with Dr. Jamieson and stated there are some inconsistencies with the requirements, the business needs to have an SCC but, in the documents that were provided there is none, and suggested to table this to better understand what the requirements are.

On a motion by Dr. Jamieson, seconded by Ms. Cook, and the following vote, the Board tabled the consideration of this contract.

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

Additional New Business:

Ms. Cook suggested that information be put on the County Website regarding the Spongy moth issue so that constituents can provide details of issues they may be having on their property.

Public Comment Period - General Comments:

1. **Bill Grewe** – urged the Board to restore funding to Samuel's Public Library, emphasizing the time and money already spent in selecting a for-profit library only for them to withdraw their bid, the recent election results for Library supporting candidates.
2. **John Jenkins** – addressed the terms and conditions for the library to receive County funding, and where the funding should go if Samuel's does not accept the proposal, then stated that this is not a compromise or negotiation and is more akin to a directive and encouraged County departments to not accept any funding that was designated for the library.
3. **Gustavo Rosales** – commented on the short-term tourist rental process in Warren County suggesting that the County could set a percentage that would allow a certain amount of Short-Term Rentals, and this would allow the County to have the room for the long-term rental growth.

Adjournment:

On a motion by Ms. Cook, seconded by Dr. Jamieson, the meeting adjourned at 8:56 PM.

