

**At a Closed Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on October 14, 2025, at 5:30 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, (South River District); Richard A. Jamieson, (North River District).

At 5:30 PM, on a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board entered into a closed meeting under Section 2.2-3711(A)(1) for interviews of prospective candidates and the discussion or consideration of prospective candidates. The subject matter is candidates for the planning commission.

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

At 6:28 PM, on a motion by Mr. Stanmeyer, seconded by Ms. Cullers, 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) 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.

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

**At a Special Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on October 14, 2025, at 6:00 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, (South River District); Hugh B. Henry, (Fork); Richard A. Jamieson, (North River District); also, Bradley N. Gotshall, County Administrator; Chase Lenz, Zoning Administrator; Zach Henderson, Deputy Clerk to the Board of Supervisors.

**Citizen Appointment - Warren County Board of Supervisors - Fork District:**

On a motion by Ms. Cullers, seconded by Dr. Jamieson, and the following vote, the Board appointed Hugh Henry as the Fork District Representative of the Warren County Board of Supervisors to fill an unexpired term ending on December 31<sup>st</sup>, 2025.

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

Mr. Henry was then sworn in by the Clerk of Circuit Court, Ms. Angela Moore, and then joined the Board of Supervisors on the dais.

**Citizen Appointment - Warren County Planning Commission - Fork District:**

Mr. Henry announced his official resignation from the Warren County Planning Commission.

On a motion by Mr. Henry, seconded by Ms. Cullers, and the following vote, the Board of Supervisors appointed Paul Barnhart to as the Fork District Representative on the Warren County Planning Commission to fill an unexpired term ending on December 31<sup>st</sup>, 2025.

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

**Cancellation of Snow Removal Services Contract for Lake Front Royal Sanitary District:**

Mr. Henry stated that he cannot have a contract where he is being paid by the County while holding the position of supervisor, and further stated that he was made aware of this over a month prior and did not want the public to think that the Board was attacking him.

On a motion by Ms. Cullers, seconded by Mr. Stanmeyer, the Board cancelled the Snow removal services contract with the Lank Front Royal Sanitary District.

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

### **Work Session:**

#### **Discussion — Urban Agriculture Text Amendment (Roosters on R-1):**

Mr. Stanmeyer introduced Ms. Megan Cody who reached out to the supervisors about potentially modifying the zoning ordinance in R-1 to allow potentially up to one rooster on a property of up to a minimum of 1-acre, and that this would mirror the town ordinance.

Ms. Cody then went through a power point presentation that detailed a proposal for the R-1 ordinance change. Including but not limited to:

- The purpose of the request and reasons for the amendment
- Healthy Breeding ethics, control, and humanities
- Community benefits of allowing Roosters
- Separating perception and reality of common concerns
- Addressing noise concerns and comparisons
- Examples from neighboring counties
- Local feedback and proposed guidelines

#### **Discussion - CY 2026 Board of Supervisors Meeting Schedule:**

Mr. Henderson stated what he did with the calendar mimics what was done for the 2025 Calendar year with regular meetings being the first and third Tuesdays of each month starting at 7:00 PM. With work sessions being on the second Tuesday. Additionally, the fourth Tuesday from January through April has been scheduled for budget work sessions. Lastly, two meetings have been scheduled for Wednesday (August 5<sup>th</sup> for the National Night Out and November 4<sup>th</sup> due to the 3<sup>rd</sup> being a holiday.) This will be added to an upcoming regular meeting for final approval.

#### **Discussion - Fiscal Year 2026-2027 Budget Calendar:**

Mr. Gotshall stated that the Board received a draft of the Finance Director's memo which will be distributed to all department heads that explains the upcoming budget preparation process as well as a draft budget calendar. The calendar differs from last year's in an attempt to streamline the process and allow for the most optimal use of the Board's time with regard understanding the budget that is being presented. The philosophy being to spend a lot of time internally hearing from department heads and receiving their proposals and putting them together and presenting that to the Board. Which will be the most appropriate spending plan with regard to ongoing Board vision, long-term strategies & needs. Throughout this process, he and director Scott will ensure that the Board will receive a budget proposal that encompasses all of that.

One particular difference from last year's calendar is the in regard to partner agencies. In the year prior, the Board held five work sessions where partner agencies would come to the Board to pitch their budgets that ranged from \$2,000 to hundreds of thousands and so forth. Moving forward it was suggested to establish a partner agency threshold of \$25,000. If an agency is under that threshold, then the budget proposal submission will be all that is necessary.

Ms. Cullers stated that the amount of time it appears to be spent to budget review and so forth makes her uncomfortable and she wants to know more than what the schedule has given time to do. Additionally, based on feedback from the supervisors, they would like to have more discussions with the School Board.

Ms. Scott stated that in the proposed budget, there are a couple of meetings that are held between the joint School Board and the Board of Supervisors before the start of the calendar year. Additionally, in January and February there are more two work sessions. The draft also anticipates that the County will be getting an update on the health insurance rates in mid to late February 2026, as well as taking into consideration that the approval of the annual appropriation ordinance must be at least seven days after the public hearing for appropriation.

Mr. Gotshall then stated that the goal is to provide the Board with a completed budget so they can see what each department request means to the bigger picture and the bottom line.

Ms. Cullers commented on the process saying that it was fair but expressed a concern about having adequate time to view and discuss the budget with fellow Board members in correlation to the proposed budget schedule and expressed an additional concern about the audit delays and if that information will be available to the Board by then.

Dr. Jamieson asked of the March 4<sup>th</sup> date and time between 9:00 AM – 5:00 PM if those are set in the schedule as opportunities for the questions, they have for department heads in particular. Mr. Gotshall said that is was that Ms. Scott had the idea to put it in the calendar to still give time for Board members to have the opportunity to sit down with department directors and discuss their budgets in greater detail.

Dr. Jamieson then commented that the current procedure of department heads presenting at a work session limits communication opportunities and could be viewed as putting pressure on the department heads instead of having a dialogue.

Mr. Stanmeyer stated that maybe the Board can get a copy of the Clear Gov reports with the line-item requests as well as previous years prior to meeting with department heads so they can have their questions in advance. He then acknowledged the two new Board members coming in and stated that he wanted to be fair and make sure the process wasn't rushed.

Mr. Henry stated that the idea of having a complete budget overview like Mr. Gotshall discussed would help him see the bigger picture going forward given the many small details in each departmental budget request.

Ms. Scott stated that in addition to getting an overview of the budget first and then being able to meet with department heads individually, when the tax rate hearing is held, the Board will receive different budget options with the current and the proposed rates etc.

#### **Discussion - Closed Session topic process and determination:**

Dr. Jamieson addressed a procedural matter that relates to how the Board handles legal advice on proposed ordinances. He then went through a power point presentation that detailed recent closed sessions in correlation to FOIA guidelines and what they were problematic under those guidelines. This detailed:

- The Board declining two closed sessions in 2025 (August 19 & October 7) and the language of “specific legal matters”
- The Virginia FOIA’s Core principle and state code 2.2-3707(A)
- The definition and examples of probably litigation under 2.2-3711(A)(7) and what does not qualify under that definition
- What is excluded under the language of “Specific Legal Matters”
- October 7<sup>th</sup>, 2025, Motion and the issues with it
- Action items for the immediate and long term of a written statutory analysis of a groundwater protection ordinance and the adoption of a policy.

Mr. Butler asked if what was being alluded to was sometimes when legal council recommends that the Board go into a closed session it may be recommended but is not the letter of the law. Dr. Jamieson stated that the bottom line is that the Board is responsible for determining whether that is appropriate

Mr. Henry stated that he would agree from sitting in the audience that it feels like there are too many closed sessions but acknowledged that if legal recommends having a closed session and if the Board decides not to which results in litigation, the Board will have to own up to that responsibility.

Ms. Cullers stated that she does not like going into a closed session if it's not necessary, but she respects the fact that Mr. Ham's job is to abide by the law and interpret it to the best of his ability. And additionally stated that the Board needs to be cognitive of the unforeseen consequences and prefers to have this discussion with legal preset.

Dr. Jamieson agreed but that it did not absolve the Board of being the determining agency of whether or not to into a closed session and the clauses are specific and there are FOIA council opinions regarding them.

**\*\*See Appendix A for Full Transcript\*\***

### **Discussion - Proposal for Industrial Well Water Prohibition Ordinance:**

Dr. Jamieson provided a presentation that detailed the protection of Warren County's groundwater and an ordinance to safeguard it. This detailed:

- Warren County's water reality and its current conditions and timeline of events
- The scale of industrial water consumption not comparable to residential use.
- Real life consequences from families who live in close proximity to a data center
- Northern Virginia's water crisis and gallons consumed in correlation to data center developments
- The irreversibility of the issue and best practices to be proactive and act now.
- The State level acknowledgment and recognition of the growing problem
- The solution for Warren County and what the proposed ordinance will do and not do.
- The legal authority of the County and the Dillon Rule response and explanations
- Successful precedents from other Virginia localities
- Proactive and reactive choices moving forward in Warren County
- Economic Development and the quality of life in correlation to development threats.

Mr. Henry stated that after going through it earlier in the day and pointed out that enforcement has to go through the Health Department and not Building inspections and commented on the language regarding conditional exemptions for existing industrial businesses using well water on the effective date of the ordinance and that the applicant must include current industrial operations documentations, monthly water usage volumes, the locations of currently used wells etc. He stated that the County can't do it just by using the word industrial and would be more beneficial to have an ordinance to limit high volume wells such as data centers or something that will use a lot of water. He emphasized smaller businesses in the industrial zone that may not contribute as much to the water consumption but will be impacted by the ordinance the same as businesses that do.

Dr. Jamieson agreed that there definitely needs to be a definition for what industrial consumption is rather than just being in the industrial zone.

Ms. Cullers asked how McKay springs will be impacted and that should be known before this is passed, emphasizing that is Town's joint ownership and a future water source if needed. Dr. Jamieson stated that it doesn't prohibit anything other than industrial scale operations, and any definitions that are deemed inadequate will be fleshed out and edited until satisfactory.

Mr. Stanmeyer stated that there is potential to work on tightening the definitions, loosening the grandfather clause, and that the municipal needs be defined, but that the overall need for this is compelling and important, and to do it in a way that is sensitive to existing business owners.

Dr. Jamieson commented that there is no intention or ability to affect any existing right and was is essentially put into the ordinance whether it's industrial or the municipality or anybody who has rights does not have any effects regarding those rights.

**Adjournment:**

The meeting adjourned at 8:27 PM.