

At a Regular Meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on October 21, 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, (South River District); Hugh B. Henry, (Fork); Richard A. Jamieson, (North River District); also, Bradley N. Gotshall, County Administrator; Jason J. Ham, County Attorney; Dr. David Martin, Acting Superintendent; Chase Lenz, Zoning Administrator; Zach Henderson, Deputy Clerk to the Board of Supervisors.

Call to Order:

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

Adoption of the Agenda:

On a motion by Mr. Henry, seconded by Ms. Cullers, and the following vote, the Board adopted the agenda as presented.

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

Warren County Public Schools – Superintendent’s Report

Dr. Martin opened his presentation by stating that the tennis court repairs at Skyline High School are almost complete and that the next step will be to do the same at Warren County High School and thanked the Board of the additional appropriation to ensure that the tennis teams will have a season this year beginning in February 2026. In terms of the search for the new Superintendent, the School Board will be announcing it at their next regular meeting on November 5th. He then thanked the Board for attending the bus tour and referred to the interactions they had in the buildings as “priceless” emphasizing Mr. Stanmeyer and Mr. McFadden reading to kindergarteners. In terms of the budget, the school board is currently having a budget work session to discuss salary scales, class sizes, benefits etc., the results of which will be shared with the Board of Supervisors soon. He hopes to have a joint work session with the School Board and Board of Supervisors on November 13th and December 10th. Lastly, he stated that one of the topics being discussed at the work session is the health insurance and benefits, and the possibilities and possible advantages of partnering with the County with that. However, the strong caveat is that they are in their first month of benefits so they cannot go out to bid until February when they have the proper date to do so, but they want to be in an informed discussion when they look at the overall package together with the Board of Supervisors.

Public Comment Period for Items on the Agenda:

1. **John Jenkins** – stated that water cannot be replicated, and it’s constantly being regulated and controlled by man for economic health or prohibit unwanted businesses and industries, then commented on the alternatives for industries if well water becomes prohibited such as approval from the Town etc. The asked if water is such a valuable resource, then why does the Board allow for Christendom College to continue to contaminate the river, and further asked if the regulation of well water was more important than ensuring that the willful pollution of the river be recognized, penalized, and accepted,
2. **Lewis Moten** – stated that the minutes were better but that he did not say things were getting better at the senior center, he was only thanking Ms. Cullers for addressing it. He then stated that things have gotten a lot worse and is wondering what is going on and commented that two people had fallen and emphasized that the floor issue needed to be addressed months ago. Additionally, he commented on the fuel reports that he sent to the board and appreciated the feedback that he received.

Board Reports:

- **Mr. Henry reported the following:**
 - Stated that he has received some citizen concerns regarding the County's budget system to where it has not been reconciled resulting in potential bond or money borrowing issues, and asked Mr. Gotshall for clarification and context.
 - Mr. Gotshall stated that this is related to the ongoing audit project for fiscal year 2024. The County is required by law and statute to post appropriate notice to the public which has been done to explain that the audit has been delayed and the reasons why. Additionally, the County has two separate credit ratings related to the bond issue that the County procures from year to year for various projects, and due to the audit delay, one of those ratings has been pooled that does not immediately affect the county since the bond has already been issued.
- **Dr. Jamieson reported the following:**
 - On October 8th – Attended the Finance / Audit Committee meeting and the primary takeaway is that the County Auditor came and stated they are unable to proceed due to a lack of complete information, referring to the Bank Reconciliations that have been underway for some time. As a result, the committee discussed the necessity for Mr. Gotshall and Ms. Scott to prepare financial documentation in lieu of an official audit.
 - On October 9th – Attended the school tour with members of the supervisors and school board and highlighted that the teachers and students were very polite and welcoming, the schools themselves were in great condition, and that he was very impressed by the Blue Ridge tech center and expressed his confidence that the teachers are all doing great things.
 - On October 16th – Attended the Town / County Liaison Committee meeting and stated that on a general level, the two governments are on converging paths to cooperation again and highlighted the positive indicators on avoiding a duplication of efforts when it came to tourism as well as the interest from the Shenandoah Battlefields foundation's interest in McKay springs.
 - Worked on and delivered a memo to this Board entitled, "Proposed Policy for Legal Counsel, Transparency, and FOIA Compliance" in an attempt to call the Board's attention to a much more detailed implementation of the FOIA statutes.
 - Announced a correction to his presentation last week on this matter on Slide #6 stating that the correct reference is FOIA Council Advisory opinions 0107, and not 0313.
- **Mr. Butler reported the following:**
 - Mentioned that he went to Winchester Wings and Wheels over the weekend and commented that Warren County is part of their Regional.
 - Stated that on October 25th there will be a Halloween event at the Front Royal – Warren County Airport from 8:00 AM to 2:00 PM and encouraged everyone to attend.
- **Mr. Stanmeyer reported the following:**
 - Commented on the School tour stating that he thoroughly enjoyed it and was charmed by reading to the kindergarten children. And was overall impressed by all of the schools and was happy to see the level of engagement from the students and the dedication from the teachers.
 - Stated that he was further impressed was his first visit to the Tech Center and saw several classes in action and got a full appreciation for it when seeing the full catalog of classes there.
 - Stated that over the past two weeks he has been meeting with a committee on the emergency exit access to Shenandoah Shores Road from Interstate 66 for first responders only and are currently putting together a justification to send to the Federal Highway Administration as well as the Commonwealth Transportation Board.

- **Ms. Cullers reported the following:**

- On October 8th – Went to Page County and attended a program from the Department of Wildlife Resources on deer wasting disease.
- On October 9th – Attended the joint school tour when she enjoyed a lot and got a lot out of it.
- On October 9th – Went back to Page County who had their review of their Comprehensive Plan given that the river flows from Page to Warren and spoke with their supervisors as well.
- On October 10th – Attended the Warren County Recovery Court Commencement where one individual graduated after two years with the program.
- On October 11th – Attended Chief Mabie’s memorial service and thanked all those involved before arriving at the Festival of Leaves.
- On October 14th – Attended the Main Street America event hosted by Rick Novak at the Park World Theater that had 4 stages for property owners of the different buildings on Main Street, business owners, residents, and elected officials.
- On October 15th – The Department of Social Services had their quarterly meeting which included the annual Chili Cook off.
- On October 15th – Attended the Recovery Court meeting where they continue to work and build that program.
- On October 16th – Attended the Laurel Ridge Electric Line worker groundbreaking for a new training facility for electrical power line workers
- On October 16th – Attended the Northern Shenandoah Valley Regional Commission annual meeting social at Belle Grove and discussed what they do for project management in the region.
- On October 17th – Attended the Rooted Table event hosted by Shelley Cook at Reitano and discussed the resources provided by local farmers and their businesses.
- On October 18th – Attended the one year anniversary of Brickhouse and emphasized their community partnership and value.
- On October 20th – Attended the Police Athletic League where they continue to build on that for the youth in the community and different events etc.
- On October 23rd – The Department of Social Services will be hosting their Halloween Jubilee at the Health and Human Services Complex from 5:00 PM to 7:00 PM.
- On October 25th – There will be a pumpkin drop Halloween event at the Airport from 8:00 AM to 2:00 PM. As well as South Warren VFD hosting a Bazaar, Main Street will be hosting their “Spooky Saturday” in the early evening, Browntown will be having a Trunk or Treat from 5:00 PM to 7:00 PM, and the 4-H center will be having a Galla fundraiser from 6:00 PM to 10:00 PM
- Commented on Tourism being brought up at the recent Town / County Liaison committee meeting and emphasized the Warren County Tourism Committee was started in January of 2025 and have since built on that and now includes community partners such as Shelley Cook and Richard Runyon etc. and now includes representation from the Town with Glen Wood and Lizi Lewis and Nikki Foster of the Chamber of Commerce. She stated that the Town and County are already moving forward to working together and suggests addressing both the Board of Supervisors and Town Council to inform and educate both interested parties on the work that is already being done and positive ways to move forward together,
- Asked for an update on the spongy moth program since October was the deadline for trying to get a program organized and has not had any updates on that.

- **Mr. Gotshall reported the following:**

- Stated that the County website has created a page with information on how the Federal Government Shutdown will impact Warren County Residents and that has now been updated to

include information regarding SNAP benefits for the month of November and the number of citizens who currently receive those benefits.

- Put out an email to staff to establish the foundations or structure for a new program which is an all-County citizens academy course. This will be similar to what is currently done for Fire and Rescue and the Sheriff's Department but expanded into a broader look at individual departments and what really goes on in each department.

- **Mr. Ham had no report.**

Appropriations and Transfers:

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

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

Approval of Accounts:

Mr. Stanmeyer commented on the Fuel Reports and the constituent email that the Board received regarding an analysis that found some seeming irregularities in the report, then surmised whether or not some of the events were just honest mistakes or lack of available information to complete the required fields of if anything is abuse or not. There were no indications as such but then stated that this would be a longer-term fix to come up with a better way to analyze this and get the reports in a more user-friendly way.

Ms. Cullers commented that this is a state system that all of Virginia uses and the program has a lot of potential to give anyone various different reports, then emphasized the odometer readings and that it supposed to be included in the reports and the variables with entering in the information correctly or not under different circumstances, but stated that she doesn't believe anybody is trying to do anything they shouldn't with the gas.

Ms. Scott stated that she sent the constituent to Administration and believes it is a good idea to possibly look at each individual item that was provided to see what exactly happened or look into better reporting that can be pulled from the Mansfield Fuel report etc.

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

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

Approval of Minutes – October 7th Regular Meeting

On a motion by Ms. Cullers, seconded by Mr. Stanmeyer, and the following vote, the Board approved the October 7th minutes as presented.

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

Public Hearings:

Z2025-07-01 - Zoning Text Amendments for Building Service Establishment:

Mr. Lenz stated that the Board received a draft ordinance to amend Chapter 180 of the Warren County Code to add a new definition for building service establishment, to add building service establishment as a use permitted by conditional use permit in the Agricultural zoning district, and to add new supplementary regulations for building service establishment. These text amendments are being requested by Ray Bramble of Bramble Enterprises, LLC, a local HVAC and plumbing company located on Commerce Avenue in Front Royal. The applicant is interested in establishing a secondary support facility for his business at 3812 Guard Hill Road primarily for the storage of

residential HVAC and plumbing supplies, equipment, and materials and for the staging of units to be hauled offsite for installations. Upon review of this request, staff identified "Home Service Establishment such as exterminator, plumber, decorator or appliance service" as a currently undefined land use permitted by right in the Commercial zoning district and by conditional use permit in the Village Residential district. Since the property in question is zoned Agricultural (A), text amendments are necessary for home/building service establishments to be permissible in the Agricultural zoning district. Staff is recommending the building service establishment land use be permissible only by conditional use permit in the Agricultural zoning district with supplementary regulations to reduce the impact on adjacent properties in the Agricultural zoning district. This text amendment application was filed concurrently with a conditional use permit application for a building service establishment at 3812 Guard Hill Road. The conditional use permit application and the applicability of this drafted ordinance to 3812 Guard Hill Road will be addressed in the next agenda item.

The proposed definition for building service establishment is, "A facility providing services for residential, commercial, institutional, or light industrial structures such as exterminator, plumber, decorator, electrician or heating, ventilation and air conditioning (HVAC) or other appliance service and related equipment storage, staging and repairs. This use shall comply with the supplementary regulations set forth in § 180-36.1 of this chapter."

The proposed supplementary regulations are intended for building service establishments in the Agricultural zoning district only. Staff believes many of the proposed supplementary regulations would not be applicable or may not be as necessary in the Commercial District. The proposed supplementary regulations include a requirement for the establishment to front upon and have direct access to a state-maintained road with VDOT approval for the entrance, an illustrative development plan requirement, a restriction on the total number of employees exceeding the maximum occupancy approved by the Certificate of Occupancy or Operation Permit (for septic system), whichever is lesser, a restriction on onsite customer service and retail sales, a full screen and 25' setback requirement for outdoor storage and staging area from property lines, off-street parking, landscaping and lighting requirements, a requirement for the hours of operation to be set by condition placed on the conditional use permit, and a restriction on the use of the property for commercial auto repairs (unless approved separately by conditional use permit), for auto salvage, and as a junkyard.

Mr. Butler opened the public hearing and Mr. Stanmeyer asked how this differs from an example case of a family-run company that stores their equipment in a shed or barn on their residential property in the ag district and then take those things out as needed for their business etc.

Mr. Lenz stated there are home occupations in the County that may overlap with this and those have stricter regulations that prohibit anything outside of the house. This would permit outdoor storage, and this specific property has a large commercial building in the front and storage in the back.

- Public Comments:
 - **Lewis Moten** – stated that he does not have an objection to this really but expressed concern about giving everyone access to this all at once and not just this one individual person and emphasized the issue of one company being able to do this while other companies can't. Additionally, he stated that it would be ideal if there were some sort of restriction on the lot size or how often people come and go.

The applicant spoke on behalf of the text amendment stating he started out in his house then moved as the business grew and now their central office is located at 702 Commerce Avenue. He now needs a support facility and has already been using the facility over the last year and has been renting it out as a commercial repair garage for vehicles. The business has now outgrown 702 Commerce and while the retail operation is there, there is now need for a storage facility.

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

On a motion by Mr. Henry, seconded by Dr. Jamieson, and the following vote, the Board of Supervisors approved the amendments.

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

CUP2025-07-06 - Building Service Establishment - 3812 Guard Hill Road:

Mr. Lenz stated that the applicant is requesting a conditional use permit for a building service establishment for the property located at 3812 Guard Hill Road. The applicant, the president of a local HVAC and plumbing company, would like to use the property as a secondary support facility for his business in town for the storage of residential HVAC and plumbing supplies, equipment, and materials and for the staging of units to be hauled offsite for installations. The applicant has concurrently submitted a zoning text amendment application, which, if approved, will add “Building Service Establishment” as a land use permissible only by conditional use permit in the Agricultural (A) zoning district with a new definition and supplementary regulations.

Mr. Butler opened the public hearing and the applicant stated that he would be happy to answer any more questions that the Board may have.

- Public Comments:
 - **Lewis Moten** – stated that he supports this and thinks that the applicant should be able to work on weekends for emergencies.

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

On a motion by Mr. Henry, seconded by Ms. Cullers, and the following vote, the Board approved the conditional use permit request for a building service establishment at 3812 Guard Hill Road with the conditions as recommended by the Planning Commission and staff.

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

R2025-03-01 - Rezoning from Agricultural (A) and Commercial (C) to Industrial (I) - Tax Map #12-----6F, 4-----43A, 4-----44B, and a Portion of 4-----45B:

Mr. Lenz stated that the board received a request to rezone tax map #12-----6F, 4-----43A, 4-----44B, and a portion of 4-----45B (total acreage: 28.23139 acres) from Agricultural (A) and Commercial (C) to Industrial (I). The properties are located at 6560, 6644, 6720, and (0) Winchester Road in the North River Magisterial District (across Winchester Road from RSW Regional Jail). The applicant, Stafford One Investments, LLC, is seeking the proposed rezoning to Industrial (I) for the proposed development of a 220,000-square-foot warehouse building with associated parking areas. The applicant has also applied for the necessary conditional use permit to allow for a building in excess of 50,000 square feet in the Highway Corridor Overlay District. A 2.63491-acre portion of lot 45B has been excluded from the rezoning request to maintain the current Commercial (C) zoning designation for the future development of an automobile filling station or another commercial use that will be complimentary to the proposed industrial building. The intended use is a warehousing/distribution facility, which is permitted by right in the Industrial (I) zoning district. However, the applicant is requesting flexibility to develop the subject properties with any other listed permitted land use under the Industrial (I) zoning district regulations, given that the total developed area will not exceed 220,000 square feet. The properties will be consolidated into a single Industrial zoned lot with a boundary line adjustment to separate the area to remain zoned Commercial (C) into its own separate parcel. This application has been submitted for review and comment to the following agencies: Warren County Building Inspections, Virginia Department of Transportation, Town of Front Royal Public Works, RSW

Regional Jail, and Rappahannock Electric Cooperative. All comments received regarding this request will be included in the meeting packet.

The applicant has submitted the necessary application to the Front Royal Town Council to request out-of-town sewer and water connections. An easement agreement between the applicant and the RSW Regional Jail Authority has been prepared to convey a sanitary sewer easement for the subject property to have access to the Town of Front Royal public sewer infrastructure.

The applicant submitted a voluntary proffer statement dated February 4, 2025, which includes restrictions on specific land uses, a 220,000-square-foot restriction on the development of the properties, monetary contributions to the County for fire and rescue purposes based on square footage of each building due prior to issuance of a Certificate of Occupancy for each building, and other site design criteria. The subject parcels are located almost entirely within the Highway Corridor Overlay District with additional development standards for access and internal circulation, setbacks, parking, service areas, building location, and building treatment. A small portion of lot 6F is located in the Floodplain Overlay District. The applicant has indicated all development will occur outside the floodplain area on the property.

The Future Land Use Map in the Warren County Comprehensive Plan designates the subject property for future Industrial (I) zoning. The proposed rezoning is compatible with the Comprehensive Plan and does not require any revisions to the Future Land Use Map.

Mr. Butler opened the public hearing and the applicant's attorney spoke on behalf of the rezoning request and provided a power point presentation that included:

- An overhead map of the 28-acre subject property on the west side of Winchester Road, East of Crooked Run.
- The Tax Map parcels for the subject property as well as adjacent properties that highlighted the surrounding zoning districts and uses.
- A map that detailed the topography and the existing conditions on the site as well as existing structures and well.
- A rough layout of the GDP that was submitted with the application that showed space for parking, landscaping, and the building itself.

The attorney stated that they are anticipating warehouse use and are open to any sort of light industrial use. The clients have already spoken to some end users and there is some interest but nothing specific to share at this time. Additionally, they clarified condition #5 and made similar changes to the proffers, the zoning administrator had reminded them that under the zoning ordinance, development is defined broadly to include any sort of improvement on the property.

Ms. Cullers asked, based on looking at the building diagram and parking lot, where the loading dock is located. The attorney stated that at this stage he does not think a loading dock has been placed and that may happen in the site plan phase.

Mr. Butler asked Mr. Lenz if the original plans should already include that information if the purpose is for manufacturing or any type of warehouse. Mr. Lenz stated that it depends, and this is before the Board specifically because the proposed building size exceeds that 50,000 square foot threshold. And if it were less than that threshold or located outside of the highway corridor then this would be by right and would not go through the Board of Supervisors at all; they would just submit a full site plan.

Mr. Henry stated that this doesn't have an end user so it could be warehouse distribution, manufacturing, or anything by right in the industrial zone. When an end user is identified, then the fine points of the design will be suited specifically for that user.

Mr. Stanmeyer emphasized that the Town has approved 4,500 gallons per day and the wells that are on the existing properties are consolidated then asked Mr. Lenz if when those properties are consolidated into a single industrial zone lot, the existing wells would be retired and they would not give additional capacity to this property over and above the 4,500 from the town. Mr. Lenz stated that it would not be without some sort of modification permit from the health department, and there is no intention of the applicants to use the wells for the industrial use of the property and can be abandoned through the health department as well.

Mr. Stanmeyer then asked about the scale of the building, emphasizing that based on the scale of the drawings the building does not appear to be 220,000 square feet and asked if this building was multiple stories. Another representative of the applicant who is also the land use planner for the project answered by confirming the building is 220,000 square feet and is considered one story and there is a height restriction that is labeled on the plan. She then addressed the prior question about a loading dock and explained that the County has standards that require loading to be away from the main thoroughfare and currently the loading will be in the back, or the northern edge of the building.

Dr. Jamieson asked if there is any objective information about the additional stress to the Fire and Rescue department with a facility of this size. Mr. Lenz stated that Building Inspections typically covers the site plan review part of the phase and is mostly application based and does not cover impact as much. However, the voluntary proffers do put forward a \$150 per 1000 square feet monetary contribution to the County to be used for Fire and Rescue services.

Dr. Jamieson then asked if there is a basis for that, emphasizing the strategic plan being developed by Fire and Rescue and if there is anything that provides an objective basis for understanding the impact of a facility of this size given how thin Fire and Rescue services are currently spread. Mr. Lenz stated that typically the impact determination is the responsibility of the applicant and most likely consider when putting together the proffer statement. Dr. Jamieson then asked if there is any possibility of the County attempting to develop that kind of objective evaluation. The applicant's attorney stated that they did look at a precedent locally and regionally and stated that some applicants on major big projects will do studies similar to this and they are costly. As a result on the cost benefit side, the proposal is something that they felt was reasonable and in line with previous applications because it is based on square footage. Dr. Jamieson asked if there is any indication of whether there is some methodology that already exists to come up with this impact, or if the current plan that Fire and Rescue is having completed will have that information in it. Mr. Lenz stated that he could request comments from Fire and Rescue and present them to the Board.

Dr. Jamieson suggested that this information be gathered now and that it is not clear to him the impact of a 220,000 square foot building will be mitigated by the proffer and the overall impact to Fire and Rescue.

Mr. Henry stated that the study would also change as well depending on the end user, emphasizing that warehouse distribution would be fairly low as opposed to a manufacturing facility that may or may not need special attention depending on what was being made there.

Mr. Gotshall stated that this item can be tabled but emphasized that it cannot be for too long given the date of the application was submitted, in this case January and the Board has 12 months to act.

Dr. Jamieson stated that this is a situation where a small amount of time can be taken to at least get an answer as to whether there's something available that can bring objectivity to this matter.

There were no additional comments from the applicant(s) and the hearing was then closed.

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board tabled this Public Hearing to the December 2025 regular meeting.

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

Public Hearing: CUP2025-03-01 - Building in Excess of 50,000 SF within the Highway Corridor Overlay District - Tax Map #12-----6F, 4-----43A, 4-----44B, and 4-----45B:

Mr. Butler opened the public hearing and the applicant representative stated he is willing to come back for the final vote but hopes to get this approved in the December meeting given the length of time from the application but understands and appreciates the sentiment of the Board.

Mr. Lenz reminded the Board of the condition changes, especially condition #5 that the 220,000 square foot limit be beyond the building and not the entirety of the development.

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

On a motion by Dr. Jamieson, seconded by Mr. Stanmeyer, and the following vote, the Board tabled CUP2025-03-01 until the December 2025 regular meeting.

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

New Business:

Consent Agenda:

1. Award Recommendation — Viva Pools, LLC
2. Authorization for Out-of-Town Utility Connection Applications to Front Royal Town Council - 444 Baugh Drive (3 Buildings)
3. Memorandum of Understanding between the Lord Fairfax Health District and the County of Warren Regarding the Use of County Facilities for the Purpose of Dispensing Medical Countermeasures to Residents
4. Authorization to Advertise - CUP2025-09-02 - Private Use Camping- 1020 Misty Meadow Lane
5. Authorization to Advertise - Z2025-09-02 - Subdivision Text Amendments for Family Subdivision Variances
6. Authorization to Advertise - Ordinance to Prohibit the use of Well Water by Industrial Businesses in Warren County, Virginia. **(removed for discussion)**
7. Grant Award Acceptance - TRIAD Crime Prevention for Seniors

Dr. Jamieson state that he would like to pull item #6 “Authorization to Advertise - Ordinance to Prohibit the use of Well Water by Industrial Businesses in Warren County, Virginia” for discussion.

On a motion by Mr. Stanmeyer, seconded by Mr. Henry, and the following vote, the Board approved the Consent agenda as amended.

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

Authorization to Advertise - Ordinance to Prohibit the use of Well Water by Industrial Businesses in Warren County, Virginia.

Dr. Jamieson introduced Ms. Martha Sadlick that provided a power point presentation on Warren County’s geology and how it relates to the groundwater in the wells in the County. The presentation detailed:

- A review of Geology and Relationship to Groundwater in Warren County

- Water resources and their dependence rock type, fractures, and bedding planes and the different rock types that make up a majority of Warren County's geology.
- Aquifer units for Warren County and stated that water retention is poor in the clay soil and weathered rock, with replenishment being dependent on rainfall.
- The average rainfall and drainage pattern that stated that the mountains represent the largest rainfall and that drainage pattern is a critical resource for the river.
- Well Water data maps that show the water rate variability in Warren County with rates from 0-200 gallons per minute, with the median yield being 10 to 20 gallons per minute.
- Monitored spring and water wells and recharge information that is also dependent on rainfall and its type (rain/snow/heavy rain).
- The relationship between Recharge and Rain and Drainage, that is dependent on rainfall and the rock type areas and emphasized that highly developed areas have a lower recharge rate.
- Recommendations such as municipal water storage, allowing individual water storage, updating County well water information and investigations, limiting development to what water can handle, and further analysis on McKay Springs.

Dr. Jamieson then stated that tonight he will not be moving to authorize a public hearing of this ordinance at this time because the board does not yet have professional legal analysis that is necessary for the board to make an informed decision. Over the past month, he has provided research on potential statutory authority and made presentations to facilitate public discussions that were done to advance the conversation while requesting professional and legal engagement from the County Attorney. It was his understanding that a legal briefing was being worked on for delivery on October 2nd, but nothing had materialized, and requests have been made since September.

Dr. Jamieson then stated that this concerns him because any legal challenges or outcomes can't be determined without the analysis itself. Virginia's open Government laws state that general statutory interpretation and legal analysis of proposed ordinances should be conducted in a manner accessible to both the Board and the public. This transparency allows for informed public participation and ensures all members of the board and citizens understand the legal framework for governing their decisions. Additionally, he has provided the board with a memorandum that documents a timeline since the proposal was first introduced, making a case for why a legal analysis is needed before proceeding and emphasized that the Board should retain independent counsel for this specific project if the County Attorney is unwilling to provide the analysis in a publicly accessible manner. He affirmed his commitment to this ordinance and doing so through legally sound means and a transparent process.

Ms. Cullers commented that she does not prefer going into closed sessions and wants to be as transparent as possible but stated that she feels as if the board is being selective due to closed sessions being requested regarding Samuel's Public Library, but not for the water ordinance item, and emphasized that it seems like double standards.

Dr. Jamieson stated that he has never requested a closed session and based on his research for this process, nobody had requested a closed session and the impetus for this was the Agrotourism Ordinance and that was the first time he has done research and discovered a basis for going into a closed session.

Mr. Henry stated that he does not know about the legal standpoints but commented on the language used in the ordinance, emphasizing existing business and the word prohibit, and the definition of existing wells. He suggested that the board create a set of goals because he would be in support of not having a high volume or system of wells that pumps 30,000 gallons of water a day out. However, based on the way it's written, this could impact smaller businesses throughout the County. Dr. Jamieson stated that he is open to converging and engaging to do what is feasible to achieve the objective.

Mr. Henry then discussed more on the definitions and potential interpretations with what may be considered agri-commercial compared to the ordinance that states any non-domestic non-agricultural purpose, and how that is open to interpretation because some people consider it commercial use even when zoned agricultural and suggested looking at it more from gallon uses per density.

Ms. Cullers asked why planning staff were not involved in this since the ordinance inadvertently involves zoning and will affect zoning and the goal is to work with staff on goals and objectives, then look at the ordinances before voting on them. She further stated that she is committed to protecting wells and the river but emphasized using the resources that are available to get it done right. Dr. Jamieson commented that that was fair statement but emphasized that the board has the initiative and is entitled to bring it forward as elected leaders.

Mr. Stanmeyer thanked Dr. Jamieson for taking the initiative because otherwise this would not be a discussion at all and for the recognition that this item is not yet ready which will prevent it from becoming more of a problem in the future.

On a motion by Dr. Jamieson, seconded by Mr. Henry, and the following vote, the Board tabled this item.

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

Public Comment Period for General Items:

1. **Steve Cullers** – agreed that something needs to be done about the water and the current status quo can't continue but suggested to take a look at pollution with the accessory dwelling units being added and where the water is being drawn from and further commented on potential development on Page County or in Waynesboro and how the County can prepare for it.

Adjournment:

The meeting adjourned at 9:49 PM with the following vote:

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