AGENDA TOWN/COUNTY LIAISON COMMITTEE MEETING

Town Hall Upstairs Conference Room 102
E. Main Street

Thursday, January 15, 2026 at 6:00 PM

Livestream at https://www.frontroyalva.com/714/Portal---2022

1. Call to Order – Mayor Lori A. Cockrell

2. Joint Tourism - *Town*
Summary: Tourism has been an item on multiple liaison meeting agendas in the past. The Town is interested in collaborating with the County on joint marketing material that can have a great impact as combined effort. Currently, the Town has a director managing tourism and the Visitor's Center which is completely funded by the Town of Front Royal. This includes promoting tourism in both the Town & County areas. The County has been hosting monthly tourism meetings to discuss ideas which are attended by Town representatives. With a renewed effort to work together our community can benefit from a greater emphasis on tourism with a collaboration of planning and finances. Is there interest by the Town & County to identify ways to collaborate once again on a joint tourism program to promote our community as a destination?

3. Tipping Fees Update - *Town*
Summary: On July 1, 2024, the County began charging the Town residents tipping fees for residential solid waste transported by the Town of Front Royal. This unforeseen increase created a financial impact on the Town and its residents. The rate has remained the same since its implementation. Given the FY27 budget planning is underway, will there be an increase in the Town's rate in the next fiscal year?

4. Shenandoah Valley Battlefield Foundation Update – *Town*
Summary: During the last liaison meeting, there was a discussion regarding a potential meeting with the SVBF. The January meeting may serve as an opportunity to coordinate a possible meeting date and time between the County, Town and SVBF.

5. Update on Well Ordinance - *Town*
Summary: The Town is interested if there are any updates regarding the County well ordinance.

6. Discussion on Economic Development - *Town*
Summary: During the last liaison meeting, there was a proposal shared by the County regarding economic development plans. Are there any updates regarding the proposal?

7. Fiscal Impact Model Update - *Town*
Summary: The fiscal impact model has been on multiple liaison meeting agendas. Are there any updates regarding a new Fiscal Impact Model? [ATTACHMENT]

8. Discussion for Rail Trail – *County*
Summary: A discussion to see what support the Town and County could have for the change to Rail and Trail

Next Meeting – **Thursday, April 16, 2026 at 6:00 PM in the Warren County Government Center**

Adjournment

AMENDMENT TO VOLUNTARY SETTLEMENT AGREEMENT BETWEEN THE COUNTY OF WARREN, VIRGINIA, AND THE TOWN OF FRONT ROYAL, VIRGINIA, REGARDING THE ACCEPTANCE AND THE COLLECTION OF VOLUNTARY PROFFERS BY THE TOWN OF FRONT ROYAL TO OFFSET FINANCIAL IMPACTS TO PUBLIC FACILITIES WITHIN THE COUNTY OF WARREN CAUSED BY REZONINGS IN THE TOWN OF FRONT ROYAL

This Amendment to Voluntary Settlement Agreement, entered into pursuant to the authority granted by Sections **15.2-1300** and 15.2-3400 of the Code of Virginia, 1950, as amended, by and between the County of Warren, Virginia, a body politic, by and through its Board of Supervisors, hereinafter the "County", and the Town of Front Royal, Virginia, a municipal corporation, and a body politic, by and through its Town Council, hereinafter the "Town".

WHEREAS, by Final Order Validating and Affirming Voluntary Settlement Agreement Between the Town of Front Royal and the County of Warren, entered by a Special Court sitting in the Circuit Court of the County of Warren, Virginia, on December 13, 1999, the said Special Court affirmed and validated a Voluntary Settlement Agreement executed by the Town and the County as of January 27, 1998, amended on October 6, 1999, and further amended on August 9, 1999, (hereinafter the "Voluntary Settlement Agreements"); attached hereto and made a part hereof as Attachment "A"; and

WHEREAS, the County and the Town have recognized that amending said Voluntary Settlement Agreements as set forth herein will be beneficial to the orderly growth and continued viability of both localities; and

WHEREAS, Virginia Code Sections 15.2-2298, presently applicable to the County **and to the Town**, and 15.2-2303 allow localities to include in their zoning ordinances reasonable regulations and provisions for written proffers as part of such localities' conditional zoning process; and

WHEREAS, the County **and the Town** ha~~s~~**ve**, as part of ~~its~~ **their** zoning ordinance**s**, reasonable regulations and provisions for written proffers as part of Warren County's **and Front Royal's** conditional zoning process**es**; and

WHEREAS, the County, on June 17, 2003, adopted a Resolution establishing the County's proffer policy (hereinafter the "Proffer Policy") for residential use rezoning applications, a copy of which is attached hereto and incorporated by reference herein as Attachment "B" which Proffer Policy allows, inter alia, for the acceptance of cash proffers, land, or in kind improvements for zoning requests for residential uses to compensate for the cost of public facilities and services needed to serve the residents who will move into the County as a result of such residential rezonings; and

WHEREAS, such Proffer Policy by law can, in the absence of an agreement to the contrary between the Town and the County, apply only to residential rezonings in the County outside the corporate limits of the Town; and

WHEREAS, residential rezonings in the Town ~~will cause~~ **are likely to result in** additional ~~County~~ residents ~~to move~~ **moving** into the County, who will use the County's public facilities and services such as public schools, social services, law enforcement and corrections services, parks and recreation facilities and services, and emergency services, among other services and facilities, for which in the absence of an agreement to the contrary, the Town cannot accept proffers as part of the Town's residential zoning process, thus adding a disproportionate financial burden on County residents living outside the Town's corporate limits; and

WHEREAS, Virginia Code Section 15.2-3400 allows localities to voluntarily enter into agreements with other localities to settle and resolve matters beneficial to the orderly growth and continued viability of such localities; and

WHEREAS, both the Town and the County recognize and agree that allowing the County to accept appropriate proffers, as part of its rezoning process, to assist the Town in mitigation of the effects of rezonings in the County outside the corporate boundaries of the Town but which could have a significant impact on traffic within the Town or the provision of water or sewer service outside the corporate boundaries of the Town, will be beneficial to the orderly growth and continued viability of both the Town and the County; and

WHEREAS, both the Town and the County recognize and agree that allowing the Town to accept proffers, as part of its residential rezoning process, from residential developers to assist in compensating for the cost of public facilities provided by the County to serve the residents who will move into the Town and County as a result of such residential rezonings, will be beneficial to the orderly growth and continued viability of both the Town and the County because Town residents, being also County residents, use and benefit from such County public facilities and services just as do County residents residing in the County outside the corporate limits of the Town; and

NOW, THEREFORE WITNESSETH, that for and in consideration of the premises, and the mutual benefits flowing to all residents of the County, whether living within or without the Town's corporate limits, the parties hereto agree as follows:

1. The parties agree to amend said Voluntary Settlement Agreements as provided for herein, and to accomplish all steps reasonable and necessary to have the proper approvals to effectuate this Amendment.

2. Upon approval of the amendments to the Voluntary Settlements Agreements, and upon receipt of an application for a residential rezoning within the Town, ~~that~~ the Town will promptly forward the application, together with such other information in the possession or control of the Town that the Town can reasonably access and assemble, to the County for the County's staff to be able to (a) calculate the annual net costs (hereinafter the "Cost") of public facilities and services, and (b) calculate the fiscal impact of such rezoning request to the County's fiscal impact model (hereinafter referred to as the "Impact"), all as provided for in the County's Proffer Policy as the same may from time to time be amended. County staff in a timely fashion will calculate such Cost and Impact and forward the same to the Town for the Town's use ~~in determining whether or not to grant such rezoning request, and if such rezoning request is granted, what proffers ought to be accepted by the Town on behalf of the County~~ **in suggesting conditions a rezoning applicant may desire to proffer to be considered in a rezoning request. Likewise, upon receipt of any rezoning request by the County that could negatively and significantly impact on traffic within the Town or that would benefit by the provision of public water or sewer to the site and its vicinity, the County will promptly forward the application, together with such other information in the possession or control of the County that the County can reasonably access and assemble, for the Town's staff to review and comment upon and to suggest**

appropriate conditions that the rezoning applicant may desire to proffer to be considered in a rezoning request.

3. ~~The Town, to the extent it deems reasonable and practical, will accept and condition such residential rezoning only upon the voluntary proffering, by the applicant for such rezoning, of cash, land, or in-kind improvements sufficient to offset the Impact as calculated by County staff pursuant to the County's Proffer Policy.~~ **The Town and the County agree to consider such proffered conditions or lack thereof in determining the propriety and reasonableness of the rezoning request. Each locality will use its best efforts not to approve rezoning requests that would be detrimental to the best interests of the other unless the approving locality determines the benefits to it of the rezoning request exceed the potential detriments to the other locality.** Such proffers will be administered and**, if involving cash or dedication of land,** collected by the Town **or County** and timely paid or conveyed ~~over by the Town~~ to the ~~County~~ **other locality** upon receipt by the Town **locality that granted the rezoning**. **Each locality will be responsible for all costs incurred by its respective staff in carrying out this Agreement.**

4. This Amendment shall be for a term of one (1) year from the date of its execution by the Town and the County, unless extended as hereinafter provided. Unless notice as set forth in paragraph 5 hereafter is given, this Agreement shall be automatically extended for successive terms of one (1) year each immediately upon expiration of the preceding term.

5. Either party may terminate this Agreement prior to the end of any one (1) year term of this Agreement upon the giving of at least ninety (90) days written notice to the other party.

6. The parties agree to present this Agreement to the Commission for Local Government if required as a proposed settlement pursuant to Virginia Code Section 15.2-3400.

7. The parties agree that should a recommendation of the Commission on Local Government not be needed on this Amendment to Voluntary Settlement Agreement, or should the report of the Commission on Local Government issued pursuant to Virginia Code Section 15.2-3400.4., recommend that this proposed Amendment and settlement is in the present interest of the Commonwealth of Virginia, then it will be recommended to the then sitting Town Council and Board of Supervisors to hold a public hearing on the advisability of passing respective Town and County ordinances to adopt either this original Amendment or a modified Amendment acceptable to all parties, as set forth in Virginia Code Section 15.2-3400.4.; and if such ordinances be approved, to petition the Circuit Court for an Order affirming the proposed settlement as set forth in Virginia Code Section 15.2-3400.5.

8. This Agreement may be amended from time to time by the County of Warren and the Town of Front Royal.

Witness the following signatures on the dates indicated.

COUNTY OF WARREN, VIRGINIA

By: ______________________
Chairman, Warren County Board of Supervisors

Attest:

Clerk to the Warren County Board of Supervisors

Approved as to form:

Douglas W. Napier, County Attorney for Warren County

TOWN OF FRONT ROYAL, VIRGINIA

By: Robert T. Tennant, Jr.
Mayor

Attest:

Clerk to the Town Council of Front Royal

Approved as to form:

Blair D. Mitchell, Town Attorney for Front Royal

2-24-05 filed

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF WARREN

In the matter of the Petition by the Town of Front Royal, Virginia, and the County of Warren, Virginia, for an Order affirming and indicating a Voluntary Settlement Agreement and establishing the rights of the parties to the Voluntary Settlement Agreement, pursuant to Chapter 34 of Title 15.2 of the Code of Virginia (1950), as amended	Case No. CL97000225-00

PETITION FOR CORRECTION TO FINAL ORDER VALIDATING AND AFFIRMING VOLUNTARY SETTLEMENT AGREEMENT BETWEEN THE TOWN <u>OF FRONT ROYAL AND THE COUNTY OF WARREN</u>

The Petitioners, the Warren County, Virginia, Board of Supervisors, and the Front Royal, Virginia, Town Council, respectfully petition this Court for an Order, pursuant to Virginia Code Section 8.01-428.B., correcting a clerical mistake to that Final Order Validating and Affirming Voluntary Settlement Agreement Between the Town of Front Royal and the County of Warren, dated December 13, 1999, and an error therein arising from oversight and from an inadvertent omission, as follows:

1. By Final Order Validating and Affirming Voluntary Settlement Agreement Between the Town of Front Royal and the County of Warren dated December 13, 1999, a copy of which is attached hereto as Exhibit "1" (the "Final Order"), a Special Court of the Circuit Court of Warren County, Virginia, was appointed pursuant to Chapter 34 (Section 15.2-3400, *et seq*) of Title 15.2 of the Code of Virginia (1950) as amended, affirmed and validated a Voluntary Settlement Agreement executed by both parties as of January 27, 1998, amended on October 6, 1998, and further amended on August 9, 1999, in response to the Report of the Commission on Local Government (the

"Settlement Agreement") between the Town of Front Royal, Virginia (the "Town") and the County of Warren, Virginia (the "County") dated June 23, 1999.

2. By clerical mistake and error therein arising from oversight from inadvertent omission, to said Settlement Agreement and to said Final Order, no provision was made whereby the parties thereto, being the Town and the County, could modify their Agreement by mutual consent.

3. As indicated by the letter and affidavit, and attachments thereto, dated January 20, 2005, from Ted McCormack, Associate Director for the Commission on Local Government, all attached hereto in their entirety as Exhibit "2", between 1982 and 2004, the Commission on Local Government reviewed 45 interlocal settlements negotiated pursuant to Section 15.2-3400 of the Code of Virginia or similar statutory authorization. Of that number, 37 agreements, or 82.2%, contained a provision for modification by mutual consent and without the need for further court proceedings or further review by the Commission on Local Government. The reason for this is that proceedings before the Commission on Local Government, and proceedings before the Special Court, are costly and time consuming.

4. One of the purposes of a review of such settlement agreements by the Commission on Local Government is to make recommendations as to how such settlement agreements should be worded and amended so as to best promote the best welfare of the jurisdictions involved. See Virginia Code Section 15.2-2907.B. and 15.2-3400. In the instant case, the Commission on Local Government did make certain recommendations as to modifications to the Settlement Agreement, which modification the Town and County did make as amendments on August 9, 1999, to the Settlement

Agreement. See Commission on Local Government Report on the Town of Front Royal-County of Warren Voluntary Settlement Agreement dated June, 1999 (the "Report") at pp. 29-31, a copy of which is attached hereto as Exhibit "3". However, said Report, through clerical mistake or error therein arising from oversight and from an inadvertent omission, did not make a recommendation that the parties' Voluntary Settlement Agreement contain a provision by which the parties to the Settlement Agreement could modify said Settlement Agreement by mutual consent. The Final Order accepted the recommendations contained in said Report. Thus, through clerical mistake in said Final Order or error therein arising from oversight and from an inadvertent omission, said Final Order did not contain a provision whereby the Town and the County could modify their Settlement Agreement by mutual consent, as was done in more than 82% of said Orders offering such settlement agreements entered since 1982.

5. The parties hereto wish to modify their said Voluntary Settlement Agreement so as to allow each party to accept zoning proffers and collect voluntary proffers by each party to offset financial impacts to public facilities within one jurisdiction caused by rezoning in the other jurisdiction (for example, a residential rezoning development in the Town will have a financial impact to the County's public schools, courts, corrections, social services, etc., all of which serve Town residents as well as County residents, but all of which are otherwise funded in whole or in part only by the County). Allowing said Final Order to be corrected as aforesaid will allow the parties hereto to make a modification by mutual consent to the Settlement Agreement, all to the mutual benefit of the residents of both the Town and the County.

WHEREFORE, the parties hereto respectfully pray that this Court notify the Supreme Court to cause the reconvening and/or appointment of a Special Court to rule on this Petition as prescribed by Chapter 30, Title 15.2 (Section 15.2-3000, *et seq*), of the Code of Virginia, and that said Special Court correct its said Final Order as aforesaid.

Respectfully submitted,

COUNTY OF WARREN, VIRGINIA

By: ______________________
Counsel

TOWN OF FRONT ROYAL, VIRGINIA

By: ______________________
Counsel

Douglas W. Napier, Esquire
County Attorney for Warren County, Virginia
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
(540) 636-6674
VSB No. 16136

Blair D. Mitchell, Esquire
Town Attorney for Front Royal, Virginia
16 North Royal Avenue
P.O. Box 1560
Front Royal, Virginia 22630
(540) 635-7872
VSB No. 15839

CERTIFICATE OF SERVICE

The undersigned counsel caused to be served, by lawful service of process, and by regular mail, first class mail, upon Ted McCormack, Associate Director for the Commission on Local Government, The Jackson Center, 501 North Second Street, Richmond, Virginia, 23219-1321.

Douglas W. Napier, Esquire

D. Napier

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VIRGINIA: IN THE CIRCUIT COURT OF COUNTY OF WARREN

In the matter of Petition by the Town of Front Royal, Virginia, and the County of Warren, Virginia, for an Order affirming and indicating a Voluntary Settlement Agreement and establishing the rights of the parties to the Voluntary Settlement Agreement pursuant to Chapter 34 of Title 15.2 of the Code of Virginia (1950), as amended

Case No: CL99000225-00

CONSENT ORDER

This day came the Town of Front Royal, Virginia, by her Town Attorney, Blair D. Mitchell, Esquire, the County of Warren, Virginia, by her County Attorney, Douglas W. Napier, Esquire, and the Virginia Commission on Local Government by the Office of the Virginia Attorney General, upon the Petition by the Town of Front Royal and of the County of Warren for an Order affirming and indicating a Voluntary Settlement Agreement and establishing the rights of the parties to the Voluntary Settlement Agreement pursuant to Chapter 34 of Title 15.2 of the Code of Virginia (1950), as amended, and upon documents and exhibits attached to the Petition; upon the Answer of the Counsel on Local Government in which allegations in Paragraphs 3 and 4 of the Petition are admitted; upon the Affidavits of George E. Banks, former Mayor of the Town of Front Royal, Virginia, and James L. McManaway, former Chairman of the Board of Supervisors for the County of Warren, Virginia, regarding the inadvertence of omitting from the original Voluntary Settlement Agreement of a provision whereby the parties could modify the terms thereof by mutual consent; and upon the Affidavits of James M. Eastham, the current Mayor of the Town of Front Royal, Virginia, and Tony F. Carter, the current Chairman of the Board of Supervisors for Warren County, Virginia, evidencing the desire of the Town of Front Royal and the County of Warren to modify the Voluntary Settlement Agreement at this time; and was argued by counsel.

WHEREUPON, this Court finds from the pleadings, attachments, admissions, and uncontested affidavits filed herein, that the omission of a term permitting modifications of the Voluntary Settlement Agreement by mutual consent of the parties thereto was an inadvertent omission and not a deliberate one; and that the parties now desire to modify the Voluntary Settlement Agreement accordingly; and that such modification would be in the best interests and welfare of the residents and businesses of the Town and of the County and will not be detrimental to the interests of the Commonwealth of Virginia; and that entry of an Order permitting a modification of the Voluntary Settlement Agreement is requested by mutual consent of the Town and the County and is without objection by the Commission on Local Government; it is

ADJUDGED, ORDERED, and **DECREED** that the Warren County, Virginia, Board of Supervisors and the Front Royal, Virginia, Town Council are hereby authorized to amend their Voluntary Settlement Agreement by the inclusion of a term previously omitted by inadvertence to permit modification of the Voluntary Settlement Agreement by the County and the Town by mutual consent from time to time for any purposes authorized by law.

It is further **ORDERED** that the Final Order dated December 13th, 1999, in this matter and entitled, "Final Order Validating and Affirming Voluntary Settlement Agreement Between the Town of Front Royal and the County of Warren" is hereby modified to include the following paragraph as a second paragraph under the portion of the Order entitled "III - Affirmation of the Agreement":

> The Special Court further authorizes the Town and the County to modify the Voluntary Settlement Agreement from time to time by mutual consent for any purposes authorized by law.

The Clerk of the Circuit Court of Warren County is directed to send an attested copy of this Consent Order to counsel for the parties hereto.

It is further **ORDERED** that the Special Court be adjourned but not dissolved subject to being reconvened in any manner provided by law.

ENTERED this 22d day of August, 2005.

CHIEF JUDGE

JUDGE

JUDGE

WE ASK FOR THIS:

Douglas W. Napier, Esquire
County Attorney
COUNTY OF WARREN
220 North Commerce Avenue
Suite 100
Front Royal, Virginia 22630
Telephone: [540] 636-6674
Facsimile: [540] 636-6980
VSB No. 16136

Blair D. Mitchell, Esquire
Town Attorney
TOWN OF FRONT ROYAL
Town Hall – 16 North Royal Avenue
P. O. Box 1560
Front Royal, Virginia 22630
Telephone: [540] 635-7872
Facsimile: [540] 635-4281
VSB No: 15839

HAVE SEEN AND AGREED:

____

Judith Williams Jadgmann,
Attorney General of Virginia BY

____

Thomas M. Moncure, Jr.
Senior Counsel to the
Attorney General
Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219
Telephone: [804] 786-1445
Facsimile: [804] 786-1991
VSB No. 18475

Proffer
FILE

COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
FAX: (540) 636-6066
Email: admin@warrencountyva.net

Douglas P. Stanley
County Administrator

MEMORANDUM

TO: Douglas P. Stanley, County Administrator

FROM: Jodi R. Spittler, Legal Secretary JRS

DATE: June 20, 2003

RE: ***Warren County Proffer Policy***

The Warren County Board of Supervisors, at its meeting of June 17, 2003, approved the Resolution Establishing the Warren County Proffer Policy for Residential Elements of Rezoning Applications,

JRS

Resolution

of the Board of Supervisors of Warren County

A RESOLUTION OF THE WARREN COUNTY BOARD OF SUPERVISORS ESTABLISHING THE WARREN COUNTY PROFFER POLICY FOR RESIDENTIAL ELEMENTS OF REZONING APPLICATIONS

WHEREAS, the Board of Supervisors approved a contract on October 17, 2000 with Anderson & Associates for the development of a fiscal impact model to look at the impact of residential development on the County; and

WHEREAS, the model has been completed and updated by Anderson & Associates in 2002; and

WHEREAS, staff has developed a Proffer Policy regarding residential development and its public infrastructure costs for consideration; and

WHEREAS, the Planning Commission has reviewed the draft policy and has conducted a public hearing on May 14, 2003 on the Proffer Policy;

WHEREAS, the Planning Commission forwarded the Proposed Proffer Policy to the Board of Supervisors with a unanimous recommendation for adoption; and

WHEREAS, the Warren County Board of Supervisors held a public hearing on June 17, 2003; and

WHEREAS, the Board of Supervisors finds this Proffer Policy to be in the best interest of the citizens of Warren County and provides a refined tool with which to estimate the infrastructure costs generated through proposed residential rezoning applications; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Supervisors this 17th day of June 2003, that the Proffer Policy presented below shall apply to all residential elements for any rezoning application.

APPROVED BY BOARD OF SUPERVISORS JUNE 17, 2003

WARREN COUNTY, VIRGINIA
BOARD OF SUPERVISORS PROFFER POLICY

A. General Guidelines

1. Pursuant to this policy, staff will (i) calculate the annual net cost of public facilities, (ii) calculate the fiscal impact of a rezoning request that permits residential uses through the County's fiscal impact model and (iii) administer the collection and expenditure of proffered funds. The Board will accept cash proffers for rezoning requests that permit residential uses in accordance with this policy. However, the Board may also accept cash, land or in-kind improvements in accordance with county and state law. Staff will provide a recommendation for a maximum proffer based upon this policy. Any such acceptance of cash, land or in-kind improvements is subject to approval of the rezoning of the property by the Board of Supervisors pursuant to Sections 15.2-2296 through 15.2-2303 of the Code of Virginia as amended.

2. Historic experience has demonstrated that revenue derived from residential growth (residential and commercial real estate taxes, sales taxes, fees, and associated revenue sources) typically will not pay all of the normal operating costs for service delivery to residents of new developments, with no funds remaining to compensate for the cost of public facilities needed to serve these residents. State and county laws permit the Board to accept cash proffers to fund the public facility needs generated by any new residential development.

3. In determining the net cost per dwelling unit of a public facility, staff relies on countywide averages, where possible. In addition, staff will consider the five components described below, as well as any other unique circumstances of which might qualify, related to an individual zoning case.

4. To determine how and where a proffer will be spent, the County is divided into service districts. For facilities which have a Countywide service implication, (for example, parks, schools, libraries, police protection and emergency services), the proffer may be spent Countywide. For roads, the proffer will generally be spent within the associated service areas as described below, except in circumstances, which warrant otherwise.

5. The following public facilities will be funded by cash proffers: schools, roads, parks and recreational facilities, libraries, fire and rescue facilities,

waste disposal facilities and sheriff facilities including the Warren County Jail.

B. Methodology and Policy Terms

1. There are five "components" involved in calculating what a new dwelling unit will cost the County in terms of providing public facilities. The components are as follows:

a. Demand generators - Staff uses the weighted average of single family and multi-family persons per household (2.57 FY 2000) and an average number of students per household (.40 for FY 2000) to calculate demand generators (number of people and number of students) associated with a new dwelling unit.

b. Service levels – The fiscal impact model calculates existing service levels for each type of facility for which a cash proffer will be accepted.

c. Gross cost (replacement) of public facilities. – The fiscal model calculates the gross cost of public facilities. The term gross cost is used because a credit (described in (d) below) for anticipated future revenues from a new dwelling unit will be applied against the gross cost.

d. Credits – The fiscal impact model calculates a credit for anticipated taxes paid by a development to apply against the gross cost for each public facility. Warren County has issued and plans, dependent upon fiscal constraints, to continue to issue bonds to finance the construction of public facilities. Residents of new developments will pay real estate taxes to the County and a portion of these taxes will go to help retire this debt. So that new dwelling units are not paying twice (once through payment of a cash proffer and again through real estate taxes) a credit is computed.

e. Net cost – The fiscal impact model calculates the net cost per public facility or maximum cash proffer. This is the gross cost per public facility minus the applicable credit per public facility.

2. There must be a relationship between the rezoning itself and the need for a public facility. In order to ensure that money proffered by an applicant is used to fund the public facilities necessitated by the development, service areas or districts are established across the County.

   a. Since parks, libraries, and fire and rescue stations serve areas greater than a specific service district, the geographic service areas for these facilities are determined to be Countywide. Rezoning requests can be analyzed on a County-wide basis to determine their impact on these facilities and proffers may be spent to fund these facilities Countywide.

b. Rezoning requests will be analyzed on a County-wide basis to determine their impact on schools. In order to ensure that money proffered by an applicant is used to fund the public facilities necessitated by the development, the county is divided into elementary school service areas corresponding to the attendance zones of the County's elementary schools. Funds collected from a development within a District can be spent on school improvements within that District or for any school improvement, including new construction, which provides relief for the District within which the development is located.

c. With respect to public streets, rezoning requests shall be analyzed based on project consistency with the Comprehensive Plan, VDOT recommendations, and the Traffic Impact Analysis (TIA). Residential rezoning applications can be required to submit a TIA, which examines VDOT/County designated offsite intersections, existing traffic conditions, future traffic conditions (without and with the project), level of service impacts at specified phases, and recommended improvements and/or other mitigation measures. Proffered improvements must be timed with proffered phases and associated threshold residential unit totals. Proffered cash contributions for transportation improvements will be placed in specified County accounts to ensure expenditure for those identified improvements.

3. In some instances, a rezoning applicant may wish to diminish the development's calculated impact on public facilities by dedicating property or doing in-kind improvements in lieu of all or a portion of the cash proffer. Land conveyed for County facilities shall be deeded to the County or its designee. The value of donated land generally will be based on the current assessed value of the property, not to exceed the cost per acre used in the calculation of the proffer (not the estimated value after rezoning). The value of improvements shall be the estimated cost if constructed by a governmental entity. If the dedication or in-kind improvement does not fully alleviate the development's calculated impact on public facilities, then the dedication and/or improvement's value may be applied as a credit against the development's calculated impact on the applicable public facility. The credit cannot exceed the development's calculated impact on the applicable public facility.

4. Warren County will consider any unique circumstances about a proposed development that: (i) mitigate the development's projected impact on public facilities; and (ii) create a demonstrable reduction in capital facility needs. Unique circumstances may include, but not be limited to, participation in regional road projects and affordable housing projects. Either the county or the applicant may identify such projects and present the justification for Board of Supervisors consideration.
5. Payment of the cash proffer for residential development must occur prior to release of a building permit. Timing for dedication of property or in-kind improvements should be specified in the proffer statement.
6. Proffered conditions shall provide for disposition of real property or cash in the event the property or cash payment is not used for the purposes for which tendered.
7. Adjustments in the fiscal impact model amount may be considered every fiscal year. Staff will recompute net costs based on the current methodology and recommend adjustments.
8. The maximum cash proffer that the Board of Supervisors will accept from residential rezoning applicants shall be determined per dwelling unit by the fiscal impact model. The Proffers should identify an appropriate index, such as the Consumer Price Index, to provide an adjustment for inflation. It needs to be noted that this total does not include the cost of offsite road improvements proffered by the applicant, or other utility requirements under the auspices of the Town of Front Royal.

Bradley K. "Brett" Haynes, Jr.
Chairman, Board of Supervisors
County of Warren, Virginia

Douglas P. Stanley,
Clerk, Board of Supervisors
County of Warren, Virginia

AGENDA TOWN/COUNTY LIAISON
COMMITTEE MEETING - Minutes
Board Room – Warren County Government Center, 220 North Commerce Avenue
Thursday, October 16, 2025, at 6:30 PM

Present from the County: Jerome K. Butler, Chair-Supervisor (Happy Creek District); Richard A. Jamieson, Supervisor (North River District); Bradley Gotshall, County Administrator

Present from the Town: Lori A. Cockrell, Mayor; Joshua L. Ingram, Councilman; Joe Petty, Town Manager

Call to Order:

Mr. Butler called the meeting to order at 6:30 PM

Joint Transportation/Infrastructure Subcommittee Update – ***Town:***

Mayor Cockrell stated that they have not met for the last few months, however, Mr. Petty did have a few updates he wanted to add after checking in. Mr. Petty stated that they have been discussing some of the South Street-Smart Scale projects and will be meeting with VDOT in the coming weeks to get further updates and proof that the projects are moving forward. Additionally, Council Member Rappaport mentioned at one of the last meetings that they were talking about turn lanes on Commerce Avenue and he will be following up with the Staunton office to see if they have any updates regarding some of the left turn lanes on Commerce Avenue; those intersections being the two turn lanes outside of the Government center at 2nd and 3rd street.

Tourism – ***Town:***

Mayor Cockrell that since 1993, the Town of Front Royal has funded and managed the Front Royal – Warren County Visitor's Center on Main Street and has always promoted our community's tourism assets within the Town & County. In 2017 the County adopted the increased Transient Occupancy Tax (TOT) to assist in funding tourism activities and outreach. Then the Town & County created a joint tourism advisory committee to assist with supporting tourism programming and marketing. This committee helped with enhancing the community wayfinding, Shenandoah Spirits Trail, Civil War Trails, and regional partnerships. Later in 2020, there was a joint effort to determine the future of tourism in Front Royal – Warren County. After meeting with the committee, it was decided to move forward with the option to execute an RFP to contract out the operations with both the Town & County financially contributing to the effort. The contract was later awarded to JLL, then in early 2023, the Town of Front Royal withdrew its interest in the contract. Shortly after, the County provided written notice to the Town with the intention of operating a County Tourism Department. Beginning July 1, 2023, the Town and County have been funding their own Tourism Departments and Activities. Now with two separate departments, there are now two websites, two social media pages, two budgets, and still only one Visitor's Center. In the presentations for tourism in 2020 there was an "In-House" option in which the Town or County would manage the Tourism activities with both localities financially contributing to the effort. The collaborative initiative would meet regularly with an advisory committee made up of community stakeholders from tourism related businesses or organizations. Currently, the Town has a director managing tourism efforts and the Visitor's Center operations which is fully funded by the Town of Front Royal. This includes promoting tourism in both the Town & County areas, as we understand visitors do not recognize our jurisdictional boundaries. This work has led to a robust social media following, attracting new visits to the Visitor's Center, and strengthening new and existing tourism partnerships. The current Town Tourism Director and staff continue to build upon the growth and awareness from the original collaboration from the Town & County which started in 2017. And with a renewed effort to work together our community can benefit from greater emphasis on tourism by collaborating on planning and finances. Then asked if there is any interest by the Town & County to identify ways to collaborate once again on a joint tourism program to promote our community as a destination, emphasizing that the Town wanted to add this to the Liaison meeting to recognize that the visitor center promotes things in the town and county, and asked if this was something the County wished to entertain.

Mr. Butler stated, speaking for himself, that it was a smart move to have a concerted effort on both the town and the County. Dr. Jamieson stated that conceptually it's sensible, and as far as the general question of whether there is an interest in identifying ways to collaborate, he believes that it would be a yes across the Board. He then stated that approximately six months ago, he made a presentation about kickstarting Economic Development and agreed that people outside of this area don't discern the difference between the Warren County and Front Royal and if the separation is preserved, then there will be consequences and two organizations are going to end up being less than one working together. There is also going to be merit in considering human resources and money capital, and there are opportunities to share that instead of duplicating it with a lot of consideration to be made for capital projects that are tourism related.

Mayor Cockrell then discussed the next potential steps such as staff from the town and county getting together or having Ms. Lizzie Lewis meet with the Tourism Committee. Mr. Petty stated that staff could put forth a draft based on this discussion.

Mr. Gotshall echoed Mr. Petty's sentiment and asked if the intention to move forward is to have two separate involvements with Economic Development and Tourism or is there an interest in looking at those concepts together, emphasizing that it would be good for staff to get some direction on that so staff can work on proper recommendations. Dr. Jamieson suggested that the Town Council and the Board of Supervisors need to determine what the strategy will be and then hand it over to staff for implementation, and that it's a good idea for members of the Board and Council to create proposals for circulation and discussion.

Mr. Ingram stated that there is a need to have some type of platform t come up with a baseline or outline of what both parties wish to discuss, and agrees that the strategy should come from the Council and Board, emphasizing the need for a tangible outline that can be done sooner rather than later and wants to ensure that this gets started on the right foot.

Taxes – *Town*

Mayor Cockrell stated that this topic has been the subject of previous liaison meetings regarding the delay in receiving tax information which results in moving the deadline for receiving payment. The localities need time once the tax books are received to import data, process information, proof the mailings, then coordinate the actual mailing of tax bills. Following the discussions from previous meetings, in March 2024, the Town proactively amended the Code to move the tax payment due date to June 20, the County's remains on June 5 with penalties and interest having been extended multiple times over the last several years. On March 27, 2025, the Commissioner of the Revenue provided the Town with real estate values to assist with budget preparation and equalization of the tax rate due to the reassessment. The Town set their tax rate on April 28, and the County set their tax rate on April 1, 2025. On May 12, 2025, the Town received the real estate tax books from the Commissioner of the Revenue with a decrease in value, resulting in a decrease in revenue of approximately $472,000 for the Town. The Town is requesting a joint meeting with members from the Town Council & County Board of Supervisors, the Treasurer, the Commissioner of the Revenue, and any recommended staff to refine the process of receiving the tax books that would allow enough time to appropriately budget and send notices to taxpayers.

Mr. Butler presented Ms. Sours, who stated that it is always a rush to get the tax books done. Their office tries to prepare and have everything ready by the time the tax rates are set. The issue is during a reassessment year and due to delays in that in 2023 and 2025, their office does not get those records on time, and estimates cannot be produced correctly.

Mayor Cockrell asked if the Commissioner has any ability to emphasize to the Reassessment firm that the books need to be completed sooner. Ms. Sours stated that per the contract, they are supposed to have it complete by December 31st and further emphasized that this was a new Reassessment firm and also new software.

Mr. Ingram commented on the decreased revenue of almost $500,000 in the Town's budget, stating that it was contentious amongst what the tax rates will be set as, and that it was tough given the circumstances of lowering their taxes only to receive the news of the decreased revenue shortly after.

Dr. Jamieson stated that this appears to be an administrative issue that is affecting the process and there is a recognized issue with the town and the county. He then suggested if both parties need to get together and discuss this further and wants the internal process to be as fast as possible.

Mayor Cockrell presented Mr. Wilson who stated that this has been going on for several years and one of the things being looked at was when the tax rates were set and if they were late then that would cause the delay. Ms. Sours then emphasized that the tax rates were set earlier this year in April, however, due to the reassessment, the office was not ready.

Town of Front Royal Farms Property – *Town*

Mayor Cockrell stated that the Town's Farm Property is approximately 103 acres and is used for a variety of both public and private operations. Currently the Farm is used for a solar power array, Energy Services Department facility, white goods/metal drop off, recycling containers, yard waste drop off area and mulch, public safety training area, and general storage space. Most of the property is open space and the Town contracts hay cutting services on the property. The Farm currently provides multiple services to both Town and County residents. These services include metal items that can be dropped off for free at the site, which the Town delivers to Winchester every 2-3 weeks and receives money for the scrap. White Goods (appliances) that can be dropped off for free similar to the scrap metal. Goods that contain freon require a $15 ticket to be purchased at Town Hall. Town residents can also schedule these items to be picked up on the curd as part of the On-Call Collection Program, fees may apply. Yard Waste items can be dropped off for free, and mulch is also available at no cost, though must be loaded by themselves. Commercial loads of yard waste are charged by the sizes large ($50) & small ($25) and tickets must be purchased at Town Hall. The Town used to grind the yard waste with our staff and equipment; however, given the age of the grinder and staff training it has become more feasible to hire a contractor to grind the waste during the year. The proposed FY26 budget includes $50,000 for grinding services. On June 9, 2025, at the Work Session, Town Council recommended reviewing the following two options further.

Preferred Option 1: Reduction in Tipping Fees

- Currently the County charges tipping fees for the Town of Front Royal to drop off Town residential refuse. The proposed FY26 budget includes $270,000.00 for tipping fees. In lieu of charging a fee to County residents to drop off yard waste at the Farm, the Town may receive a reduced rate of tipping fees. This credit will need to be discussed and approved by the County prior to implementing the option. The rate can be set per County resident drop off and deducted from the monthly payment for tipping fees.

Preferred Option 2: County Resident Yard Waste Fee

- Implement a $15.00 fee for County residents to drop off yard waste at the farm with a similar process to freon and Commercial Yard Waste Tickets. Before taking effect there may be some notification required to begin informing County residents of the change and that tickets shall be purchased at Town Hall.

After discussion and clarifications, Mr. Butler and Dr. Jamieson agreed that the second option would be the most likely option that the remaining Board members would gravitate toward.

Mr. Ingram emphasized that the intent is for this to pay for itself and the thought process that went into these ideas were whittled down to these two from several with the understanding that we're both Town and County Residents, and that costs have increased for everyone.

Fiscal Impact Model Update – *Town*

Mayor Cockrell stated that during the Liaison Meeting on January 30, 2025, there was a discussion regarding the model used for proffers associated with rezoning applications. It was determined at the meeting that a new analysis needs to be completed, the estimate is around $100,000. Upon further discussion no additional Town services were needed for the updated scope of services.

Dr. Jamieson commented that at present there is no model and Mayor Cockrell stated that there are functioning numbers, but they are outdated. Mr. Petty then stated that when he left the county, it is believed that it was on a computer and that it is a dated program.

Mr. Gotshall stated that the county is in possession of the computer in question, but the proffer is a newer concept for him, and while the laptop is available, the county is unable to access the program that the report is contained in. The county has gotten a quote from another firm to update this model at approximately $50,000 - $60,000.

For the sake of public clarity, Mayor Cockrell stated that there was a housing development that was being proposed to come to the town and they had started selecting numbers for proffers, and it was determined that the numbers were outdated after meeting with members from the school board, specifically with a large discrepancy with the cost of the new elementary school.

Mr. Ingram stated that the situation can be convoluted, and if a developer comes into the area, they go to the county to get these numbers to determine the cost as far as the fiscal impacts for public services, fire and rescue, school's etc. and emphasized that neither the Board nor Council has any control over how that process is generated or executed.

Dr. Jamieson introduced the North River School Board representative, Ms. Melanie Salins, who stated that this is something she has been trying to get updated for a couple of years. The school system has updated their numbers and had been 20 years old and were harming the proffer ask. The schools submitted the updated number to the county some time ago, and that it was her understanding that the numbers for the proffer calculations still have not been updated. She emphasized that it does leave the schools lacking, there is room in High Schools and Middle Schools, but the Elementary Schools are at an over capacity. Therefore, if there is a new development then that will increase those numbers and there will be a need to build a new elementary school.

Mr. Gotshall stated that from what he understands from this, the last update that was done to the model was in 2018, but that model is locked to the degree that the County is not able to update it. Dr. Jamieson stated that there is a "do to" item which is to research the world of fiscal impact models and to broaden the overall research as there may be open-source versions and public access.

Water Conservation Enforcement During Drought Conditions – Out of Town Users – *Town*

Mayor Cockrell emphasized that when the Town is in a voluntary, mandatory, or emergency water restrictions in the town limits, that can be enforced within those limits, however they are looking for a clearer path forward with enforcing those restrictions to businesses and residents in the County that also use water from the Town. She then introduced Mr. Robert Boyer who stated that in the parameters of the restrictions, it applies to both residential and commercial.

Mr. Ingram stated that 2023 and 2023 were the first time in town history that they had this level of mandatory water restrictions in consecutive years. And this specific discussion was brough about after receiving complaints from several town residents asking if the mandatory water restrictions apply to them, then why aren't County businesses and residents under the same restriction if they receive water from the town, and in terms of the industry out in the corridor, there is nothing that would impact any production.

Mr. Petty noted that this discussion is really about the town and the county getting together to discuss whether there is any legal means to ensure that the County is on board and working through that process to ensure that the town can enforce water restrictions in times of conservation.

Dr. Jamieson stated that from his point of view, that when a situation is related to water and scarcity then everyone needs to participate, and he will try to communicate about them and bring them up in terms of everyone pitching in when it comes from the town water plant.

McKay Springs – *Town*

Mayor Cockrell stated that since 2004, the Town of Front Royal and the County of Warren have been partners in the McKay Springs property, which is supported by December 21, 2004, Memorandum of Understanding then later updated in 2011. The goal of this partnership was to make roadway improvements with VDOT and to market and sell economically viable properties. Additionally, the Town & County wanted to retain the rights to potentially utilize the McKay Spring as a potable water source if the need ever arises and designate a perpetual preservation easement surrounding the former Robert McKay Jr. home site. This property has been the subject of previous liaison meetings, of which ownership, boundary adjustments, and prospective development have been discussed. However, nothing has been done with the property and it still remains vacant which is counter to #7 in the MOU stating, "*The County and Town will jointly market the resulting jointly owned land for sale and development to commercial developers and incorporate the remaining elements of the former Robert McKay, Jr. house into the eventual development of the site , to respect and recognize the historic value and significance of the remains of the house…"* In June 2025, the County authorized the establishment of a Homesteaders Market to operate on the County-owned parcel. The Town is seeking an update on the progress of the operation, and its impact on commercial viability or jointly owned parcels.

Mr. Petty stated he has made many presentations regarding the property in the past during liaison meetings, had prospective buyers and received numerous calls about it, and further stated that the town and the county have spent significant time and money but agreements between the town and county could not be made to sell it. He then emphasized the need to do "something", stating that it has been dormant for a long time and has provided no community benefit nor marketing nor preservations.

Dr. Jamieson stated that earlier in the Spring, he had made a presentation to the Board that involved Homestead Activities as Economic Kickstarters and was contacted almost immediately by individuals in the homesteader community. Additionally, the Board of Supervisors passed an authorization to use the two acres that the County owns for a Homestead Farm stand. This was a non-permanent arrangement and nothing about buildings or anything that could not be vacated. However, there was a V-DOT roadblock with the entrance already there and the expectation that it could be utilized for this, but VDOT move the requirement for an exit to be moved quite a way down the road. More recently, he has been in communication with one of his constituents about the Battlefields Foundation's interest in the property and asked if the town and the board would be interested in hearing what that foundation would have to say. Mayor Cockrell stated that she will bring this up to the town council to see if there is any interest

Discussion of Economic Development – *County*

Dr. Jamieson stated that this is to discuss the potential of joint collaboration in regard to Economic Development between the Town of Front Royal and County of Warren. He commented that, from his perspective, Economic Development is a broader category, and tourism is an aspect of that and then emphasized the complications of the EDA scandal and the current work and the EDA is doing, and their potential to be very contributory to Economic Development. Additionally, Dr. Jamieson discussed the Institutional Landscape, stating that the town and the county have shared partnership dynamics and on the topic of tourism, there are independent marketing efforts and human resources duplicated, and digital marketing costs duplicated. He has proposed to the other board members that they contemplate the statement of need and project objectives such as institutional integration, analysis, and evaluating the optimal roles for the EDA within legal constraints and analyzing possible cooperation models between the town and the county. Citing that Warren County's Economic Development situation is not a normal case, he has proposed the idea of engaging a strategic planning consultant to coordinate with the town and the county and help bring the two together, then asked if there is any interest in cost sharing for this project. The strategic planner could help both entities with the "brass tacts" of the collaboration and insights on concepts and concrete steps.

Mayor Cockrell stated that for many years, the Front Royal – Warren County EDA was very successful but over time the town had back away more and halted appointing people to that board, in part due to there were people with the town that felt that the EDA was focusing more on what was going on in the County and not in the town, all prior to the scandal. During the time period in 2020, the town went to the Virginia Legislature to allow the town to start its own Industrial Development Authority and the intention behind that was rooted in fear that the Warren County would have to dissolve its EDA and would not be effective or efficient. In terms of cost sharing, Mayor Cockrell stated that she will put that on an upcoming work session and ask but personally thinks that it's something work looking in to.

Well Water Proposal for Industrial Well Water Prohibition Ordinance – *County*

Dr. Jamieson stated that he has proposed a Warren County Groundwater Protection Ordinance and referenced a recent article from the Northern Virginia Daily regarding the stress that the water table is under in the Shenandoah Valley. He then emphasized that groundwater is the source of our lives, the economy, and quality of life and it is already under strain. The proposed ordinance is a proactive forward-looking ordinance that is aimed at protecting groundwater resources from industrial scale us. Industrial business being defined as, "any facility or operation that uses water for a manufacturing processing fabrication or assembly cooling systems, not limited to server cooling equipment, cooling facility climate control, industrial cleansing, rinsing, any non-domestic or non-agricultural." This is aimed at not enabling industrial scale water extraction from Warren County.

Mayor Cockrell stated that this is fully a county decision and emphasized that this would give the town more of a decision of whether or not to approve industrial water usage or not because it would force industrial users to use the town's water or not. It will put the town in a position where it will be the sole provider for water, and the town will also decide who that water is provided for.

Dr. Jamieson then emphasized that this an explicit admission that certain kinds of Economic Development isn't actually beneficial in the long term and that this is not an Economic Development killer, but that was it being proposed is better is best for the long-term benefit of residents in the county, especially those what rely on groundwater.

Mr. Ingram stated that he took this as county action, and that most of the town citizens and businesses are using town water and agrees that this is a proactive approach emphasizing well drilling, aquifers being impacted that is becoming more noticeable, and something that needs to be addressed now before more serious effects occur.

Next Meeting – **Thursday, January 15, 2026, at 6:00 PM in the Council Chambers at Town Hall**

OCTOBER
MINUTES