

Minutes  
Board of Supervisors  
Work Session  
February 5, 2019

Members Present: Morgan Phenix, Chairman At-Large  
David Wiatrowski, District 2  
Mark Stroupe, District 3  
Larry Foltz, District 4

Absent: D. Keith Guzy, Jr., District 1  
Jeff Vaughan, District 5

Staff Present: Amity Moler, County Administrator  
Regina Miller, Assistant County Administrator  
Michael Helm, Esquire, Miller, Earle & Shanks PLLC

**Call to Order:**

Chairman Morgan Phenix called to order the work session of the Page County Board of Supervisors on February 5, 2019, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court, Luray. The Call to order was followed by the *Pledge of Allegiance* and the Invocation given by Pastor Micah Griffith.

**VDOT Update:**

Don Komara, Virginia Department of Transportation Residency Administrator, gave an update to the Board. He said the Route 602 bridge in Shenandoah is complete. The steel and girders have been set on the Main Street Bridge in Luray. They have also been working on hanging the water line. The anticipated completion date for the bridge project is May 2019. A pre-advertisement meeting has been scheduled on the westbound portion of the White House bridge project on Route 211 on the west bound bridge. The project is about one year ahead of schedule. It is estimated to be a \$17 million improvement and construction will probably start sometime the first part of the winter in 2020. The roundabout in Luray at the intersection of West Main Street and Northcott Drive will go to advertisement this fall, which is about a \$3 million project. Construction should begin in the spring of 2020. The Smart Scale project on Route 211, at the intersection of Big Oak Road, has been approved and will be funded. The project is to install a traffic light. The Food Lion intersection as well as the Walmart entrance will be having improvements on the turning lanes, due to Lord Fairfax Community College going in that area. He then reviewed the rural rustic projects: Route 701 (Peach Orchard Road) pipes and cull de sac are being installed, Route 696 (Printz Mill Road) replace overflow with larger pipes, and Route 611 (Red Gate Road) making a turnaround. Improvements to Fox Hollow Road will begin in the summer of 2020. The slop on Island Ford Road has been staked and are still talking with the people along that road. Some do not want any improvements. The

ongoing maintenance items include filling in potholes with gravel, cutting trees on Printz Mill Road, working on low shoulders and snow removal.

Supervisor Wiatrowski asked if anything will be done to Springfield Road off of Route 340. Mr. Komara said nothing is currently planned, but they may be able to do something at a later date.

Supervisor Foltz asked if Route 340 will be made widened to a four-lane highway. Mr. Komara replied no.

**Broadband Authority Update:**

Bernie Miller, Chairman of the Page County Broadband Authority, said the Authority was created in 2009 to establish a publicly owned broadband infrastructure. He said they received a BTOP grant in 2010 to build a wireless middle mile network, which put six towers across the county from Shenandoah to Springfield. In addition, they have small fiber distributions points across the county as well. He noted that they have been trying to bring in companies to do last mile providers to connect to their network. He noted that the total bandwidth capacity of the Authority's network is 600 Mbps and of that 75 Mbps remains available. He noted that their sales representative has presented their capabilities to seven wireless internet providers, five wireline carriers, two potential wireless ISP startups, three mobile carriers, and five private entities. In these instances, the firms decided against using the Authority's network because of the heavy competition from CenturyLink and Comcast and the cost of building in a low-density population. Mr. Miller then showed the Board the coverage data for the four zip codes in the County, which shows each zip code in the 90% coverage range. He indicated that the Authority has just started another strategic plan to review bandwidth upgrades and to seek new grant to possibly coordinate with CenturyLink and Comcast to close the gaps in internet service that exist in the County.

**Cash Flow Update:**

Penny Gray, Treasurer, said she keeps track of all collection activity that goes beyond regular delinquent collections. Over the past seven years, that amounts to approximately \$8 million and from January 1, 2018 to December 31, 2018, the total was \$1,103,611.89. As of the end of period seven, the cash flow balance was \$8,345,424.44. She reported that the collection rate for personal property is 96.8% and real estate is 96.8%, without the uncollectable taxes. She noted that the uncollectable rate in the County is about 2%.

**Page County Sheriff's Office Foundation:**

Dale Hamilton, Page County Sheriff's Office Foundation, said the Foundation was created in December 2018. They have filed with the IRS to be a tax-exempt entity and will begin accepting donations and contributions to go toward the Page County Sheriff's Office. They have established an advisory board that will be a liaison with the Sheriff's

Department. Their goal is to work with the County and to have total communication on the needs of the Sheriff's Department.

**Special Entertainment Permit – Luray Half Marathon:**

Liz Lewis, Economic Development/Tourism Coordinator, stated that Racine MultiSport, same organizer as the Luray Triathlon, will bring a Half Marathon to Page County during the month of September. The race will start on Main Street in Luray, traveling through Page County, and will end on Zerkel Street at the Hawksbill Brewery. The event is scheduled for September 7, 2019 from 7am – 11am, to be held in the Town of Luray and Page County. She recommended approval of the special entertainment application and noted that there are no outstanding issues.

**Motion:** Supervisor Stroupe moved that the Board of Supervisors approve the Special Entertainment Permit application for the Luray Half Marathon race on Saturday, September 7, 2019, from 7am-11am. Supervisor Foltz seconded and the motion carried by a vote of 4-0. Aye: Phenix, Wiatrowski, Stroupe, Foltz. Nay: None. Absent: Guzy, Vaughan.

**Proposed Contract with Southside Regional Jail:**

Sheriff Chad Cubbage said that Middle River Regional Jail wants Page County inmates removed from the facility because they are at full capacity and they need the bed space for the jurisdictions that are members. He said currently there are 45 total inmates housed there, 10 of which are females. In addition, he said the County is also in a contract with RSW Regional Jail. There are 85 total inmates housed there, 25 of which are females. He pointed out that the daily population at the Page County Jail is 75 inmates. He said he has been in contact with jails around the state and Southside Regional Jail is the only one with available bed space. He indicated that it is located in Emporia, Virginia. Sheriff Cubbage said the plan is to take 20 sentenced men to the Southside facility. From there they would either be taken to the Department of Corrections or released if they have served their time. He noted that Southside is willing to pickup the inmates at Middle River and transport them to their facility, for a cost of \$1,600.

**Motion:** Supervisor Stroupe moved to approve the contract with South Side Regional Jail as presented. Supervisor Wiatrowski seconded and the motion carried by a vote of 4-0. Aye: Wiatrowski, Stroupe, Foltz, Phenix. Nay: None. Absent: Guzy, Vaughan.

**Review of Proposed Special Use Permit Conditions for Dogwood Solar and Cape Solar:**

Mrs. Moler said that the proposed conditions for the Dogwood Solar and Cape solar special use permits were drafted by the Zoning Administrator, on June 21, 2018, to the Planning Commission. After the public hearing held by the Board, Urban Grid went back and changed some of the proposed conditions after hearing the public's comments. Recently, staff along with Chairman Phenix and Supervisor Guzy spent several hours

discussing setbacks, scale, landscape, and the length of time in the conditions. She emphasized that it is very important for the Zoning Administrator to be involved in writing the conditions because she has to be able to enforce them. Mrs. Moler said staff is working on a bullet list to provide to the Board outlining the changes to the proposed conditions, and both Urban Grid and the County's legal staff will be reviewing the payment agreements. She said that she will also ask VACO's legal team to review the payment agreements to make sure the County is protected.

**Closed Session:** 8:38 p.m.

**Motion:** Supervisor Stroupe moved that the Page County Board of Supervisors convene in closed session under the Virginia Freedom of Information Act to discuss the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Page County Board of Supervisors, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia; to discuss specific legal matters with counsel, where such matters require the provision of legal advice for the purpose of evaluating the proper legal position or action to be taken by the Page County Board of Supervisors, pursuant to Section 2.2-3711(A) (7) of the Code of Virginia; to consult with legal counsel retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia; and, to discuss or consider information subject to the exclusion in subdivision 3 of Section 2.2-3705.6 related to economic development, pursuant to Section 2.2-3711(A)(39) of the Code of Virginia. Supervisor Foltz seconded and the motion carried by a vote of 4-0. Aye: Stroupe, Foltz, Phenix, Wiatrowski. Nay: None. Absent: Guzy, Vaughan

**Exit Closed Session:** 9:08 p.m.

**Motion:** Supervisor Stroupe moved the closed meeting be adjourned and the Page County Board of Supervisors reconvene in open session. Supervisor Wiatrowski seconded and the motion carried by a vote of 4-0. Aye: Foltz, Phenix, Wiatrowski, Stroupe. Nay: None. Absent: Guzy, Vaughan.

**Certification of Closed Meeting:**

To the best of my knowledge only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711 (A) of the Code of Virginia, 1950, as amended, and only such public business matters as were identified in the motion by which the closed meeting was convened where heard, discussed or considered in the meeting.

Recorded Roll Call Vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
D. Keith Guzy, Jr.			X	
David Wiatrowski	X			
Mark Stroupe	X			
Larry Foltz	X			

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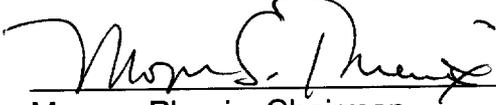
Jeff Vaughan  
Morgan Phenix

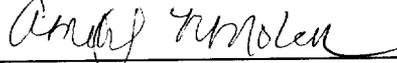
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X

**Adjourn:** 9:09 p.m.

With no further business, Chairman Phenix adjourned the meeting.

  
Morgan Phenix, Chairman

  
Amity Moler, County Administrator