

Minutes
Board of Supervisors
Regular Meeting
March 17, 2020

Members Present: Morgan Phenix, Chairman At-Large
D. Keith Guzy, District 1
Allen Louderback, District 2
Mark Stroupe, District 3
Larry Foltz, District 4
Jeff Vaughan, District 5

Staff Present: Amity Moler, County Administrator
Regina Miller, Assistant County Administrator
Nathan Miller, County Attorney
Janeena Zalipski, Office Aide

Call to Order:

Chairman Phenix called to order the regular meeting of the Page County Board of Supervisors on March 17, 2020, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray. The Call to Order was followed by the Invocation given by Micah Griffith and the *Pledge of Allegiance*.

Adoption of the Agenda:

Supervisor Guzy added the following to New Business: Discussion of the Compactor Sites Temporarily Closing, County Readiness for the COVID-19, and Horticulture and Livestock Zoning Ordinance Amendment.

Motion: Supervisor Guzy moved to adopt the agenda, with the additions to New Business. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Louderback, Stroupe, Foltz, Vaughan. Nay: None.

Public Hearings:

Zoning Ordinance Amendments:

Chairman Phenix opened the public hearing on Zoning Ordinance Amendments at 7:04 p.m.

EXHIBIT A

Tracy Clatterback, Zoning Administrator, proposed the following amendments to the Zoning Ordinance:

§ 125-4 (Definitions):

- Amend the current definition of *contractor office*
- Add a definition for *commercial parking facilities*

- Re-define current definition of *commercial workshop* and relocate definition in code

§ 125-9 (Woodland-Conservation):

- Add the use of *commercial parking facilities* by special use permit

§ 125-10 (Agriculture):

- Add the use of *commercial parking facilities* by special use permit

§ 125-13 (Industrial):

- Add the use of *commercial parking facilities* by-right

Regarding the contractor office proposed definition change, staff currently has a business that is in violation of the Zoning Ordinance for having an illegal contractor office in an agriculture zoning district. The business has expressed interest in rezoning to the commercial zoning district where contractor offices are a by-right use.

However, based on the current definition of contractor office, if they apply for the rezoning and it is approved, they would still not be allowed to park their operations' vehicles, equipment, and/or materials on-site. She said this would hinder the operation of the business.

Regarding the commercial parking facilities, she has received numerous inquiries from citizens wanting to potentially start new business ventures. The current zoning ordinance allows for commercial parking facilities in the commercial zoning district only but does not define what is included in commercial parking facility. Adding the proposed definition will add clarity.

The Planning Commission held a public hearing on October 8, 2019. There were no comments from the public regarding the proposed amendments. The Commission voted 9-0 recommending approval, as drafted above to the Board of Supervisors.

Chairman Phenix closed the public hearing on the Zoning Ordinance Amendments at 7:08 p.m.

Public Comments on the Public Hearing:

There were no public comments during the hearing.

Motion: Supervisor Foltz moved that the Page County Board of Supervisors approve the above listed amendments, as presented. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

Presentations, Proclamations and Awards:

Jail Needs Assessment:

Tony Bell, Moseley Architects, gave a presentation on the Page County Community-Based Corrections Plan Needs Assessment and Facility Planning Study. The purpose of the Community Based Corrections Plan was to analyze the needs and provide a solution for meeting those needs. The needs assessment was to work with the County to clearly define the need and to assess the current system and facility conditions. The facility planning study was to identify options for addressing the need and to provide detailed, valid, reliable planning data and options for addressing incarceration needs of the County Jail. Mr. Bell reviewed the County's demographics, criminal justice trends, inmate population trends, and the existing jail facility. It is estimated that by the year 2029 there will be a population of 316 inmates and based on this a new jail would cost \$54,352,000. However, the state would reimburse 25%, therefore, it is estimated that the cost to Page County would be \$40,764,000. The next step in the process is to identify key sites for selection, evaluation, and development of a new jail.

The Board suggested that staff place the issue of site selection for a new jail facility on an upcoming agenda.

COVID-19 Update from the Health District:

Colin Greene, MD, MPH, Director of the Lord Fairfax Health District, updated the Board on the Coronavirus (COVID-19). He reported there were 67 positive cases in Virginia. The virus is passed by close person-to-person contact, inhaling respiratory droplets from coughs and sneezes, and from surfaces. He reviewed the symptoms and course of the disease noting that persons 60 years old, chronic disease, immune compromised are at the highest risk. People should wash their hands often with soap and water, avoid touching your eyes, nose or mouth, cover your sneezes and coughs, avoid crowds, and stay at home if you are sick. Commonly used surfaces should be cleaned and disinfected. He said updates can be found on the Centers for Disease Control website or on the Virginia Department of Health website.

Proclamation – disAbility Awareness Week 2020:

Mrs. Moler said Access Independence has requested that the Board adopt a Proclamation for disability Awareness Week 2020.

**#2020-04
PROCLAMATION**

WHEREAS, the United States Congress enacted the Americans with Disabilities Act in 1990, prohibiting discrimination against people with disabilities in employment, public accommodations, transportation and telecommunications; and

WHEREAS, the Commonwealth of Virginia enacted the Virginians with Disabilities Act in 1985 to assure equal opportunity to persons with disabilities in the Commonwealth, and it is the policy of this Commonwealth to encourage and enable persons with disabilities

to participate fully and equally in the social and economic life of the Commonwealth and to engage in remunerative employment; and

WHEREAS, people with disabilities often overcome common misunderstandings about their circumstances and make valuable contributions to their families and communities; and

WHEREAS, disability is a natural part of the human experience, and individuals with disabilities deserve the same rights as their peers to live independently, enjoy self-determination, make choices, contribute to society and participate fully in the American experience; and

WHEREAS, the community plays a central role in enhancing the lives of people with disabilities, and people with disabilities benefit from having a network of supportive friends and family, accommodating employers and community leaders who are aware of these needs and abilities; and

WHEREAS, millions of people in the United States have disabilities and we all must make a conscious effort to discover their functional abilities and to remove the barriers met in their effort to acquire independence; and

WHEREAS, it is the goal of Access Independence, Inc. to involve the community in all aspects of disAbility Awareness Week and establish an atmosphere that supports awareness and education of on-going initiatives to enhance public understanding of, and appreciation for, abilities possessed by those of us who experience life with disabilities.

NOW, THEREFORE the Page County Board of Supervisors hereby proclaims April 20-26, 2020 as Northern Shenandoah Valley disAbility Awareness Week 2020, and call this observation to the attention of all of those people who live in the County to work together to raise awareness and understanding of the abilities of people with disabilities.

Motion: Supervisor Guzy moved to adopt Proclamation #2020-04, as presented. Supervisor Stroupe seconded and the motion carried by a vote of 5-0, with 1 abstention. Aye: Louderback, Stroupe, Vaughan, Phenix, Guzy. Abstain: Foltz. Nay: None.

FY 2021 Budget Presentation:

Mrs. Moler explained that the budget guidance for department heads were no service increases, no new positions or vehicles purchased with general fund dollars, and program expansions were to be fully justified with a funding plan. The instrumental factors in preparing the FY2021 budget were: stabilizing the jail operating budget, increases to social services funding as part of recent state mandates and service needs, VRS biannual increase (9.21%-10.71%), 3% pay raise for employees (partial state match), health insurance 5.6% decrease in current premiums, and reinvestment into capital equipment. She noted that the primary driver of the budget increase is jail operations. The fund balance, she said, has stabilized in recent fiscal years, providing comparatively sure financial footing. In addition, significant budget reductions have taken place since

FY2015. Due to an increase in departmental efficiencies, solid waste is projected to generate \$195,000 in additional revenue next year, while expenditures for operations have gone down nearly \$13,000. EMS revenue recovery funds have demonstrated their efficacy as an offset to EMS staffing, tracking at roughly \$100,000 in additional funding to support career EMS. Children’s Services cost remain steady and Social Services cost sharing has a low increase. Our telecommunications changes resulted in \$20,000 in recurring savings, and capital projects performed at or under budget in FY2020. The fund balance currently stands at 32%, which is the fourth consistent year of fund balance growth. Cash flow has improved considerably, and with several large projects on the horizon, the fund balance stability should aid in maintaining cash flow confidence upon payment of contract milestones. The State and Federal revenues are relatively stable, yet still in decline for the general fund, with a \$133,000 overall decrease primarily from the state. Once again, SRO funding has decreased as well as other law enforcement grants. The NG911 capital projected will be funded fully by the state at over \$200,000. Lastly, Mrs. Moler then reviewed the school funding and requirements and the revenue collection outlook.

After discussion, the Board asked Mr. Click to get some detailed line item information from the schools for the upcoming budget meeting.

Public Comments on Agenda Items:

There were no speakers during Public Comments on Agenda Items.

Action Matters:

Budget Changes:

Dennis Click, Director of Finance, reviewed that the Page County Sheriff’s Department requested \$1,036.64 in state revenues and \$730.30 in federal revenues in asset forfeiture disbursements. Also, the Page County Public Schools requested an appropriation of state funding in the amount of \$8,730 from a school security grant program, and \$26,679.48 related to the Virginia Tiered Systems of Support. He recommended appropriation of \$37,176.42, as outlined.

Supplemental appropriations requests:

Department	Description	Revenue	Expenditure	Amount
Investigations	Federal Asset Forfeiture	Federal Asset Forfeiture 101-0000-333.01-04	Federal Asset Forfeiture 101-3121-431.58-10	\$730.30
Investigations	State Asset Forfeiture	State Asset Forfeiture 101-0000-324.04-01	State Asset Forfeiture 101-3121-431.58-09	\$1,036.64
PCPS	School Security	School Security Grant	Purchased Services 501-6401.515.30-00	\$8,730.00
PCPS	PBIS/VTSS	PBIS/VTSS	Purchased Services	\$26,679.48
Total				\$37,176.42

Motion: Supervisor Guzy moved to approve the appropriation of state and federal funding in the amount of \$37,176.42. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Louderback. Nay: None.

Rappahannock County Solid Waste Agreement:

The Rappahannock County Landfill Use Agreement to accept municipal solid waste (MSW) was presented by Jeff Blevins, Landfill Director. The terms are 11 tons per day up to a maximum of 20 tons per day. Rappahannock County will be charged a tipping fee of \$34 per ton for MSW, \$150 per trip, and \$20 per ton for recycling materials processing fee. The term of the agreement is for 10 years.

Motion: Supervisor Guzy moved to approve the Rappahannock County Solid Waste Agreement, as presented. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Foltz, Phenix, Guzy, Louderback, Stroupe. Abstain: Vaughan. Nay: None.

Board and Commission Appointments:

Ms. Miller, Assistant County Administrator, reviewed the Board and Commission appointments:

Economic Development Authority:

A vacancy exists on the EDA for District 1. An individual needs to be appointed to fill that seat for an unexpired term through January 31, 2022. A vacancy exists on the EDA for District 3. An appointment is needed for a four-year term through January 31, 2023. A vacancy exists on the EDA for the Town of Shenandoah representative. The Town is aware and is seeking someone to serve. The term would be for a four-year term from February 1, 2020 through January 31, 2024.

No names were given for consideration. The appointments were deferred until the April meeting.

Building Code Appeals Board:

The term of Keith Higgs (District 4) has expired. He is eligible to serve another term, which will expire December 31, 2023.

Motion: Supervisor Foltz moved to appoint Keith Higgs to the Building Code Appeals Board (District 4) for a term that will expire on December 31, 2023. Supervisor Louderback seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Louderback, Stroupe, Foltz. Nay: none.

Massanutten Regional Library Board:

A vacancy exists on the Massanutten Regional Library Board. An appointment is needed for a three-year term through September 30, 2022.

No names were given for consideration. The appointments were deferred until the April meeting.

Northwestern Community Services Board:

One seat on the Northwestern Community Services Board is currently vacant. An appointment is needed for a term through December 31, 2022.

No name was given for consideration. The appointment was deferred until the April meeting.

Consent Agenda:

Motion: Supervisor Guzy moved to approve the Consent Agenda as follows:

- Financial reports for the periods of February 1-29, 2020;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll Tax related electronic fund transfers totaling \$1,481,359.55 for the month of February 2020;
- Minutes of February 4, 2020 and February 18, 2020;
- Coyote claims totaling \$100.

Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Louderback, Stroube, Foltz, Vaughan. Nay: None.

Old Business:

There was no Old Business to consider.

New Business:

Temporary Closure of Convenience/Recycling Sites:

The Board discussed the recent temporary closure of the Convenience/Recycling Sites as a result of the COVID-19 pandemic. It was decided that staff would work toward a possible solution to re-opening the sites with other regular employees or hire temporary employees, if possible. Mrs. Moler stressed that the closure is temporary.

COVID-19 Readiness:

The Board ensured that the public will be informed of updates regarding the COVID-19 pandemic.

Zoning Ordinance Amendment:

Supervisor Guzy indicated that the Zoning Ordinance is a mess and there are people who cannot legally have a garden. In addition, they cannot have livestock if they live in a residential zoning district. He said the Board needs to address this immediately.

Supervisor Vaughan stated that in order for it to be done immediately, the ordinance would have to be re-written. Supervisor Guzy indicated that was done and the Board held a public hearing on it. Mrs. Moler stated that the Board wanted to make changes to the draft before adopting. She said they can ask the Berkeley Group to work on that portion of the ordinance re-write first. Further, she indicated that the Board wanted the zoning ordinance re-write done properly and contracted with the Berkeley Group to do so.

Supervisor Guzy indicated that when someone contacts the Zoning Office to inquire about having a garden or livestock, they are informed of the law. Currently, because the way

the ordinance is written, citizens are not allowed to have a garden, raise livestock, grow hemp in a residential zone.

Chairman Phenix stressed that if the Board interferes with adjusting the consultant's work because one person feels their voice is louder it will ruin the work of the Berkeley Group. Mrs. Moler added especially if it pertains to a Board member personally. Supervisor Guzy stated that he was going to have a garden and a horse. At that time, Chairman Phenix called for point of order.

After discussion, it was consensus of the Board to wait on amending this portion of the Zoning Ordinance, until the re-write is complete by the Berkeley Group.

Open Public Comments:

There were no speakers during Open Public Comments.

Administrator's Report:

Mrs. Moler said in the effort to protect our EMS staff they will be wearing more personal protective equipment (PPE), due to the COVID-19 pandemic. She said it was time again to apply to the Virginia Department of Transportation for Smart Scale projects. She asked the Board to let her know if there are any projects they would like to include in the application.

Supervisors Time:

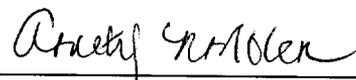
All Supervisors thanked everyone for attending the meeting.

Adjourn 10:27 p.m.

With no further business before the Board, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator

**ORDINANCE TO AMEND CHAPTER 125, SECTION 125-4 (DEFINITIONS),
SECTION 125-9 (WOODLAND CONSERVATION), SECTION 125-10
(AGRICULTURE) AND SECTION 125-13 (INDUSTRIAL)
OF THE PAGE COUNTY, VIRGINIA CODE**

WHEREAS, by Ordinance duly adopted on September 14, 1989, the Board of Supervisors of the County of Page adopted Chapter 125, Zoning, of the Page County Code, which chapter has been further amended from time to time; and

WHEREAS, upon mature consideration, the Board of Supervisors has determined it is in the best interest of the County to further amend the ordinance.

NOW THEREFORE, be it resolved and ordained by the Board of Supervisors of the County of Page, Virginia, that Section 125-4 (Definitions), Section 125-9 (Woodland Conservation), Section 125-10 (Agriculture) and Section 125-13 (Industrial) of the Page County Code be amended as follows:

1. The following paragraphs shall be amended to § 125-4 (Definitions):

Contractor Office.

The office for a contractor licensed through the Commonwealth of Virginia, to include the outdoor storage of operations' vehicles, equipment and/or materials.

Commercial Parking Facilities.

An area of land designed or used for the parking or storage of more than five motor vehicles or equipment with at least one axle for more than 10 days in a calendar year, where a fee may be charged for the parking or storing of such motor vehicles or equipment. This definition shall exclude junkyards and automobile graveyards as defined in 125-4.

Commercial Workshop.

An establishment where manufacturing or handicrafts are carried on for trade.

2. Under §125-4, Sawmills, Chipping Mills and Shaving Mills: Delete (C) Commercial Workshop.
3. The following paragraph shall be amended to add to § 125-9 (D) (Woodland-Conservation):

(18) Commercial parking facilities.

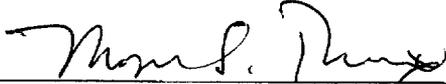
4. The following paragraph shall be amended to add to § 125-10 (D) (Agriculture):
(25) Commercial parking facilities.
5. The following paragraph shall be amended to add to § 125-13 (Industrial):
(20) Commercial parking facilities.
6. Except as amended above, Chapter 125, Zoning, shall remain in full force and effect.

This Ordinance shall be in full force and effect from and after March 17, 2020, as provided by Virginia law.

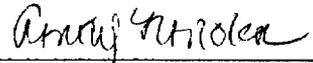
Dates of Notice Publication: March 5, 2020

March 12, 2020

Date of Adoption of Ordinance March 17, 2020


 Morgan Phenix, Chairman-at-Large
 Board of Supervisors of the County of Page, Virginia

Attest:


 Amity Moler, Clerk to Board of Supervisors

CERTIFICATE OF VOTES

The undersigned Clerk of the Board of Supervisors of Page County, Virginia, hereby certifies that the foregoing Ordinance constitutes a true and correct copy thereof adopted by the Board of Supervisors at a regular meeting duly held and called on March 17, 2020. A record of the roll-call vote by the Board of Supervisors is as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT
Morgan Phenix	✓			
Mark Stroupe	✓			

D. Keith Guzy, Jr.	✓			
Larry Foltz	✓			
Jeff Vaughan	✓			
Allen Louderback	✓			

Dated: March 17, 2020

Amity Moler

Amity Moler, Clerk, Board of Supervisors
Page County, Virginia