

Minutes  
Board of Supervisors  
Work Session  
April 3, 2018

Members Present: Morgan Phenix, Chairman At-Large  
D. Keith Guzy, Jr., District 1  
David Wiatrowski, 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  
Janeena Zalipski, Office Aide  
Nathan Miller, County Attorney

**Call to Order:**

Chairman Morgan Phenix called to order the work session of the Page County Board of Supervisors on April 3, 2018, 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 Paul Johnson and the *Pledge of Allegiance*.

**Resolution in Appreciation to Patti Temple:**

A request was received from the Circuit Court Clerk requesting that the Board consider adopting a Resolution to Patti Temple on her retirement. Chairman Phenix read the resolution.

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#2018  
RESOLUTION  
OF APPRECIATION  
TO  
PATTI TEMPLE

WHEREAS, Patti Temple has worked in the Page County Circuit Court Clerk's Office from January 1, 1992 to March 31, 2018; and

WHEREAS, Patti Temple has distinguished herself as a loyal and valued employee of the Court; and

WHEREAS, Patti Temple has worked diligently to provide services to the citizens of Page County; and

WHEREAS, Patti Temple provided a professional, courteous and friendly atmosphere for citizens and her co-workers, and always assisted them in addressing their concerns and solving problems to ensure that the citizens of Page County received the most reliable assistance available.

NOW THEREFORE BIT IT RESOLVED that the Page County Board of Supervisors expresses gratitude and appreciation to Patti Temple for her dedicated years of service to the citizens of Page County and congratulates her on her retirement.

This Resolution was adopted by the Page County Board of Supervisors o this 3<sup>rd</sup> day of April 2018.

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**Motion:** Supervisor Guzy moved to approve the Resolution of Appreciation to Patti Temple. Supervisor Wiatrowski second and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

Chairman Phenix presented the Resolution to Mrs. Temple and thanked her for her service.

**Cash Flow Update:**

Penny Gray, Treasurer, passed out the current cash balance information sheet and explained that the projected amount for April does not include the recent debt refinancing. Next month's balance sheet will reflect how much cash flow we have gained by refinancing. Mrs. Gray said that March ended with \$2,605,890.15, which is a good compared to last year, at this time. She said that she thinks in April the balance will be closer to \$1.5 million instead of \$1.2 million as the balance sheet now shows. The Commissioner of the Revenue is getting ready for the tax tickets, once the Board sets the tax rate.

**Earth Day Funding Request:**

John Mayeux, Earth Day Committee, told the Board the Earth Day event this year will be held on April 21, 2018, at Ruffner Plaza, in Luray. He said there will be about 15 exhibitors and vendors, live music, a play, and more. They will be advertising to attract local citizens and visitors to educate and entertain about our land, air, water, plants and animals. Poster and flyers will be distributed, a 2 ¼ page ad will be in the Page News & Courier and they will be selling t-shirts as well. Mr. Mayeux said they did not hold this event last year and would like to request financial help from the County in the amount of \$1,000.

Supervisor Guzy told Mr. Mayeux that this needs to be brought up during the appropriate time of TOT discussion. Even though this is tourism related, the Board needs to see a business plan to be eligible for funds. He said the Board does not fund organizations that

come in on the spur of the moment or just prior to an event. The Board put this policy into place a few years ago.

Mr. Mayeux said he has already requested TOT funding for 2019.

**Proposed Zoning Ordinance Amendment (Swimming Pools):**

Tracy Clatterbuck, Zoning Administrator, stated last summer the Building Official began sending out notice of violation letters to property owners that had placed above ground swimming pools on their properties, without the proper permits. Property owners began responding to the notices by applying for proper permits. Currently, three have been denied zoning permits for above ground pools that do not meet the required minimum setbacks. The pools have been on the properties since 2003, 2007, and 2016 and all range from three to five feet short of meeting the current minimum setbacks. A zoning permit and minimum setbacks for swimming pools has been required since 1989. These three property owners would need to apply for a variance to the Board of Zoning Appeals (BZA) to request a reduced setback (\$500 application fee), or they will be required to take the pool down and relocate it to an area on the land that meets the setbacks. The property owners have expressed lack of interest in either of these options, due to the expenses associated.

Ms. Clatterbuck explained that on February 13, 2018, staff took a proposal to the Planning Commission for consideration to allow above ground swimming pools to project up to five feet into any yard setback. The Planning Commission does not want to see proposed amendments that assist people who are or have not complied with the current zoning ordinance. They said they would not entertain staff proposal to amend the zoning ordinance to allow pools to project five feet into any yard setback, unless they receive written support from the Board of Supervisors. Ms. Clatterbuck said staff is proposing that the Board direct the Planning Commission to amend the zoning ordinance.

Supervisor Guzy asked if the pool owners can apply for a variance or special use permit. Mrs. Clatterbuck said they can apply for a variance for \$500. Supervisor Guzy said he feels this is the proper way to handle this and that the Board does not need to instruct the Planning Commission.

Supervisor Wiatrowski said these pools have probably been up for some time and if they have to file for a variance the County should waive the fee.

Supervisor Vaughan said it is the homeowner's responsibility to abide by the laws and shame on the County for not enforcing it. He the ordinance that is in place needs to be enforced and require them to get into compliance. If they wish to take it to the Board of Appeals, then it needs to be done at their expense.

County Attorney Miller said there are two issues. One, is to either enforce the ordinance or amend it to accommodate a few that have not complied. The broader issue is why it is on the table now. The way the Planning Commission and the Board of Supervisors should work, based on State Code, is the Planning Commission should accept any application whether it comes from staff, the Board, or a citizen. Then they need to have a public hearing if they want to make a change then it comes to the Board of Supervisors with the Planning Commission's recommendation. He said it appears that the Planning Commission is not going to act on this unless the Board of Supervisors instructs them to do so. He suggested that the Board Chairman talk to the Planning Commission Chairman and get the procedure set up.

The Board was in consensus to take no action. Any proposed amendment will need to start with the Planning Commission.

**Proposed Ordinance for Electronic Summons System:**

Major Phillip Baker said the Sheriff's Department is currently working on a Mobile Data Terminal Project. This would give them the ability to minimize radio traffic, the ability to run driver's license checks, back ground history, and complete reports without coming to the office to be hooked up to the frame system. He said they have been searching for funds to assist with implementing this project. The Code of Virginia Section 17.1-279.1 states an additional fee can be assessed, not in excess of \$5, as part of the cost in each criminal or traffic case in district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance. The retained assessment and any interest shall be solely to fund software, hardware, and associated equipment costs necessary for the implementation and maintenance of an Electronic Summons System. The fee should self-sustain the program.

Supervisor Vaughan asked if Major Baker had any idea of what this technology will cost to implement and maintain on an annual basis. If enough money does not come if from it then it's up to the County to make up the shortfall. Supervisor Vaughan suggested the Sheriff's Department do their due diligence and bring back hard numbers to the Board.

Major Baker added that the Sheriff's Department is looking at a grant to help fund it.

After discussion, it was the consensus for the Sheriff's Department to bring back the overall cost to fund the project.

**Lord Fairfax Community College Funding Request:**

Mrs. Moler said she met with Beverly Butterfield the Senior Development Officer of Lord Fairfax Community College and David Slye, College Board Member, and they are moving forward with the Luray-Page County Center. It will be built in the area behind Walmart, on the land donated by the Jenkins family. To date, they have raised \$1.2 million. Since, both, the Town of Luray and the County helped with the renovations at the other facility,

they have asked the County to help fund this project. They have requested \$250,000, which can be paid over a 5-year period or the Board could contribute a lesser amount. This has not been included in next year's proposed budget. She said the college is an asset to our community and would be great to contribute to it.

Supervisor Vaughan feels this is a good asset for the County, however, it can't be done this year. He said the Board can consider funding in future years.

Supervisor Guzy suggested an in-kind gift and waive the building permit fees.

**Motion:** Supervisor Guzy moved to waive the permit and application fees as a gift to Lord Fairfax Community College on building the new Luray-Page County Center. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None. Abstain: Phenix.

**School Budget Presentation:**

Donna Whitley-Smith, School Superintendent, presented the FY 2019 proposed school budget. The bulk of the budget, she said, is 67% for instruction, 10% debt service, 9% operation & maintenance, 6% pupil transportation, 5% administration and 3% for technology. The School Board has been operating on a strategic plan and is in year three of their priorities, which are: competitive compensation, increased academic/training opportunities and investment in infrastructure. This is year three of scale adjustments for teachers and administrators. The goal is to have salary scales at 95% of area averages. They currently pay \$500 per month from the operating budget for employee health care contribution and would like to increase it to \$550. This will put PCPS more in line with surrounding jurisdictions and help with future staffing. Next year, they will have to pick up the salary for the electricity teacher, need to increase the welding teacher to full-time, hire a culinary teacher part-time, and hire an EMT instructor. She reviewed the investments in infrastructure they would like to make totaling \$273,000. She said the total budget request for FY2019 is \$39,189,738 for operating, \$3,944,985 for debt service, with a local funding request of \$10,371,862, which reflects an increase of \$567,926.

Supervisor Guzy asked what the savings was from the Johnson Controls contract. Mrs. Donna Whitley-Smith said Johnson Controls has estimated a cost savings of \$140,000 and we came in at \$150,000. She said she would provide the charts of savings. Supervisor Guzy asked for the cost per pupil as well.

**County Budget Presentation:**

Mrs. Moler explained that this year's budget preparation guidelines to the department heads were no service increases, no new positions or vehicles, and program expansions were to be fully justified, with a funding plan, and CIP requests would be identified by importance or mandate. She said she and Mr. Click reviewed each department's budget line by line. She pointed out this year's budget had some instrumental factors that had to

be included such as the Middle River Regional Jail, due to increased population, additional EMS costs for personnel related to service growth, increased funding requirement for Children's Services, due to increased caseload, 2% pay raise for employees, 7.2% increase in health insurance premiums, and employer share of VRS increased from 9.21% to 10.64%. She then reviewed gave an analysis on growth trends from FY16 to FY 19, showing that the expenditure growth rate has decreased 0.50% since FY16. Mrs. Moler said that the mandatory expenses have far exceeded budget growth this fiscal year, increasing pressure on non-positional or tax related increases. Expenditure budget growth trends have not kept up with general inflationary amounts, providing less value per county dollar. Fund balance use needs to be avoided as increases in even offset expenditures threaten our minimum unassigned fund balance. Significant budget reductions have taken place since FY2015. She noted that facility maintenance and equipment replacement was unfunded or delayed, and priorities and investments were deferred.

She went on to say EMS has requested two positions, however, she included the funding for one in the proposed budget. EMS calls have increased by 500 between FY2016 and FY2017 and is continuing on an upward trend. Construction of an EMS building to house operations has not been included in this budget, but is a major consideration in FY2019.

Mrs. Moler said she the General Fund has increased by \$12,743 for FY2019. The Capital Projects General fund has decreased by \$963,220, since the Cell 10 construction at the landfill has been completed. She pointed out there are only four non-mandated departments: Geographic Information Systems (GIS), Compactor Sites, Economic Development, and Recreation. The expenditure costs for all of these programs is \$409,125, which will not take care of the shortfall for FY2019. Because of revenues being down and even with the cuts, the County is still about \$500,000 short of balancing the budget for FY2019. Mrs. Moler said an increase in the real estate tax of \$0.06 would have to be proposed in order to balance the budget.

In budget considerations, she explained that revenue recovery adjustments are proposed to assist in funding costs associated with call and equipment. She proposed each EMS agency to receive a contribution in the amount of \$52,000. This would allow the County to provide \$138,000 in revenue in order to maintain career EMS coverage. The Fund Balance currently stands at 22%, leaving the County on-track to improve fiscal health for the start of FY2019. The proposed FY2019 budget does not utilize carry-over funding. State and federal revenues have declined in the areas of PSAP funding by \$270,000, SRO funding by one position, reduction in law enforcement grants, and fixed state funding rates for more expensive mandates

Revenue growth has been the result of personal property and public utility collections, which are up by \$170,000, land use applications up by \$64,000, and landfill charges up by \$19,000. The expenditure savings are debt refunding by \$114,000 in additional

savings, surplus sales have reduced the landfill scale out of pocket of \$30,000, cash flow smoothing eliminating revenue anticipation notes, with savings of \$10,000, and solid waste operational costs are down \$135,000.

Mrs. Moler indicated that in order to fund the budget as proposed a \$0.06 tax increase will need to occur. If the real estate tax is not raised, the Board will have to decide what other cuts need to be made. She said the Board would be sent all budget documents and she will review it line by line at the April 5<sup>th</sup> work session.

**Supervisor Time:**

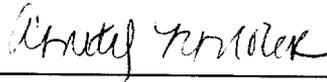
All Supervisors agreed that the Landfill is a valuable asset and the County needs to look at ways to generate revenue. Volunteers need to be recruited with incentives for our EMS department. Finally, the inmate population needs to be addressed in other ways.

**Adjourn:** 9:00 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator