

Minutes
Board of Supervisors
Regular Meeting
June 19, 2018

Members Present: Morgan Phenix, Chairman At-Large
David Wiatrowski, District 2
Mark Stroupe, District 3
Larry Foltz, District 4
Jeff Vaughan, District 5

Absent: D. Keith Guzy, Jr., District 1

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

Call to Order:

Chairman Morgan Phenix called to order the regular meeting of the Page County Board of Supervisors on June 19, 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 Pastor Andy Seastrom, and the *Pledge of Allegiance*.

Adoption of Agenda:

Motion: Supervisor Vaughan moved to adopt the agenda. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Phenix, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None. Absent: Guzy.

Public Hearing

Secondary Six-Year Plan:

Chairman Phenix opened the public hearing on the Secondary Six-Year Plan at 7:05 p.m. The public hearing was advertised as follows:

PUBLIC HEARING
2018-2019 THROUGH 2023-2024
SIX-YEAR IMPROVEMENT PLAN
PAGE COUNTY

The Virginia Department of Transportation and the Board of Supervisors of Page County, in accordance with Section 33.1-70.01 of the Code of Virginia will conduct a joint public

hearing at Page County Government Center, at 7:00 p.m. on June 19th, 2018. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan of Fiscal Years 2018-2019 through 2023-24 in Page County, and on the proposed Secondary System Construction Budget for Fiscal Year 2018-2019. Copies of the proposed plan and budget may be reviewed at the Office of the Residency Administrator, located at 3536 North Valley Pike, Harrisonburg, VA or at the Page County Administrator's Office, located at 103 S. Court Street, Luray, VA.

All projects in the Secondary Six-Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate federal transportation funds.

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Don Komara, VDOT Residency Administrator, briefed the Board on all the improvements occurring in the County. The safety project is going on 340 North, widening the shoulders and replacing some guard rail and rumble strips will also be added to the shoulders before completion. The Main Street Bridge project has started in Luray. The White House Bridge is still slated to begin in 2019. The low spots on Airport Road have been fixed, and the Cub Run Bridge had some issues that they are fixing. He said that Page County submitted two Smart Scale projects; one is for a traffic light on U. S. 211 West at Food Lion Shopping Center, and the other is on Route 340 North at Kibler Hill Road and Springfield Road. He said they are also working with Mt. Carmel Christian Academy to get the school zone flashing signs installed on Route 340.

Mr. Komara then reviewed the projects included in the secondary system six-year plan. These roads on the plan are: Serenity Ridge Road, Peach Orchard Road, Printz Mill Road, Fox Hollow Road, South Page Valley Road (first part), Island Ford Road, and South Page Valley Road (last part).

Public Comments:

Mike Uram, Town of Stanley Councilman, felt the Town of Stanley has been left behind in the plan. He expressed concern for the roads around Stanley Elementary School, He also expressed concern with Aylor Grubbs Road, Route 340 and Park Road.

With no other speakers, Chairman Phenix closed the public hearing at 7:26 p.m.

Supervisor Foltz agreed with Mr. Uram about Route 340 and Park Road. Mr. Komara said he thinks the road was fixed the way it is now to make the tractor trailers slow down but would take another look and see if they can do anything else.

Supervisor Vaughan would like Mr. Komara to look into the guard rails they replaced in Shenandoah in the Chaney Hollow area. The new ones that were installed have taken

space away from the actual road, making it hard for the farmers to travel. Mr. Komara said that VDOT would look at the area again.

Motion: Supervisor Vaughan moved to adopt the secondary system six-year plan. Supervisor Foltz seconded and the motion carried by a vote of 5-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None. Absent: Guzy.

Presentations, Proclamations & Awards:

GFOA Budget Award:

Mrs. Moler said the County has received an award by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. Mrs. Moler said out of 3,031 counties, 547 (18.05%) were awarded the Certificate of Achievement for Excellence in Financial Reporting. In our population category (10,000 – 24,999), out of 828 units, only 25 (3.02%) were awarded. This is the first time Page County has applied and it is very seldom a Certificate is awarded for the first attempt. Mrs. Moler presented the Certificate of Achievement award to Dennis Click, Director of Finance.

Public Comments on Agenda Item:

Mike Uram, Town of Stanley Councilman, voiced his concerns over the Landfill RFP for Engineering Services the County is going to award to LaBella. The hourly rates that may be charged in addition to the contract fee could become costly. Mr. Uram is also concerned over the Stanley Landfill methane gas and hopes the County has shared the new engineering contract with the Town of Stanley officials.

Action Matters:

Award RFP for Landfill Engineering Services:

Mrs. Moler said currently Page County uses two engineering firms, SCS Engineers and Draper Aden, for services such as groundwater monitoring, gas remediation and site design at both Battlecreek and Stanley landfills. Because of the exorbitant cost, an RFP was advertised in hopes of consolidating the services with one firm and reducing the annual fee. The County received four proposals and conducted in person interviews with three. Mrs. Moler said Dennis Click, Jeff Blevins and herself conducted the interviews. Of the three, one firm (LaBella) offered waste brokering services as well as electrical engineering, which the other two (currently used by the County) do not. LaBella also provided the lowest average rate range of the three and has extensive experience with several landfill across the Commonwealth. The contract with LaBella is projected to net an approximate \$125,000 savings in the FY19 budget. The contract is proposed in one year increments, with extensions up to five years. Staff recommends awarding the Landfill Engineering contract to LaBella Associates.

Motion: Supervisor Vaughan moved to award a Professional Services Agreement to LaBella for Landfill Engineering Services at Battlecreek and Stanley Landfills. Supervisor Wiatrowski seconded and the motion carried by a vote of 5-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None. Absent: Guzy.

Budget Changes:

Dennis Click, Director of Finance, reviewed the budget changes with the Board.

Appropriations

Department	Description	Revenue Source	Expenditure	Amount
PCPS	Professional Development	Tiered Systems of Support	Instruction	\$20,000.00
PCPS	Special Education Tuition	SPED Regional Tuition	O&M	\$77,982.00
PCPS	Early Reading Intervention	Early Reading Intervention	Admin. Attend, Health O&M	\$20,687.00 \$1.00
PCPS	At-Risk Funding	At-Risk Funding	O&M	\$3,818.00
PCPS	Medicaid Reimbursements	Medicaid Reimbursements	O&M	\$154,000.00
PCPS	Regional program reimbursement	Shen. Valley Regional Program	Technology O&M	\$10,600.00 \$53,589.00
Total				\$340,677.00

Transfers

Department	Description	Revenue Source	Expenditure	Amount
PCPS	Re-Balance Year-End Categories	Instruction	O&M	\$160,000
Total				\$160,000

Motion: Supervisor Stroupe moved to approve the appropriation of state and recovered cost funding, in the amount of \$340,677, as well as budget transfers in the amount of \$160,000. Supervisor Foltz seconded and the motion passed by a vote of 5-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Wiatrowski. Nay: None. Absent: Guzy.

Special Entertainment Permit – Doah Fest:

Liz Lewis, Economic Development/Tourism Coordinator, said this is an annual event coordinated by Mean Uncle Productions. Organizer, Mr. Sessler is expecting 1,000 in attendance at the event. Food and drinks will be sold by vendors with Virginia State Health Department permits. There will be two parking attendants on-site with adequate parking in a 100 X 50 yard field. One portable toilet per 75 attendees and a minimum of four hand sanitizing stations will be available. A first aid tent onsite will be staffed by a registered nurse and first aid kits will be supplied to key personnel. Fire extinguishers will be stationed throughout the event site. Mr. Sessler has briefed the Page County Health

Department, Page County EMS Coordinator, and Page County Sheriff's Department on this event and signatures have been collected. The event will be held at Fodder House Farm, 121 Bovine Drive located off of S. Page Valley Road, Luray, from July 26-29, 2018. Staff recommended approval this special entertainment application as there are no outstanding issues.

Motion: Supervisor Stroupe moved that the Board of Supervisors approve the Special Entertainment Permit application for the following Mean Uncle Productions event: Doah Fest, July 26-29, 2018. Supervisor Wiatrowski seconded and the motion carried by a vote of 5-0. Aye: Foltz, Vaughan, Phenix, Wiatrowski, Stroupe. Nay: None. Absent: Guzy.

Special Entertainment Permit – Shensara:

Liz Lewis, Economic Development/Tourism Coordinator, said Mean Uncle Productions LLC, has requested a special entertainment permit to conduct the Shensara event, July 12th starting at 11:00 am thru July 15th ending at 2:00 pm, at Fodder House Farm, 121 Bovine Drive located off of S. Page Valley Road, Luray. This is an annual event and Mr. Sessler is expecting 750 in attendance. Food and drinks will be sold by vendors with a Virginia State Health Department permit. There will be two parking attendants on-site with adequate parking in a 100 x 50 yard field. One portable toilet per 75 attendees and a minimum of four hand sanitizing stations will be available. A first aid tent on-site will be staffed by a registered nurse and first aid kits will be supplied to key personnel. Fire extinguishers will be stationed throughout the event site. Mr. Sessler has briefed the Page County Health Department, Page County EMS Coordinator, and Page County Sheriff's Department on this event and signatures have been collected. Staff's recommendation is to approve this special entertainment application as there are no outstanding issues.

Motion: Supervisor Stroupe moved that the Board of Supervisors approve the Special Entertainment Permit application for the following Mean Uncle Productions event: Shensara, July 12-15, 2018. Supervisor Wiatrowski seconded and the motion carried by a vote of 5-0. Aye: Vaughan, Phenix, Wiatrowski, Stroupe, Foltz. Nay: None. Absent: Guzy.

Board and Commission Appointments:

Mrs. Miller, Assistant County Administrator, reviewed the Board and Commission appointments as follows:

Building Code Appeals Board:

A vacancy exists on the Building Code Appeals Board for the District 1 seat. An appointment is needed for an unexpired term through December 31, 2021. Supervisor Guzy is aware of this vacancy and is working on it.

Social Services Board:

The term of Irma Housden (District 1) expires June 30th on the Social Services Board. She is eligible for reappointment and would like to serve another term. She is recommended for reappointment.

Motion: Supervisor Vaughan moved to appoint Irma Housden (District 1) to the Social Services Board for a four-year term from July 1, 2018 through June 30, 2022. Supervisor Wiatrowski seconded and the motion carried by a vote of 5-0. Aye: Phenix, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None. Absent: Guzy.

Consent Agenda:

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

- Financial reports for the period of May 1-31, 2018:
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,402,952.50 for the month of May 2018;
- Minutes of May 1, 2018 and May 15, 2018.

Supervisor Foltz seconded and the motion carried by a vote of 5-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None. Absent: Guzy.

Old Business:

Mobile Data Terminal Project/Electronic Summons System Code:

Sheriff Cabbage said the Page County Sheriff's Office has been working on a Mobile Data Terminal (MDT) project. The Sheriff's Department has received \$50,000 in grant funds to purchase the software and MDT's. The grant funds must be obligated by mid-July and invoices must be paid by September 30, 2018. The Code of Virginia allows an additional fee, not to exceed \$5 as part of the cost in each criminal or traffic case in district or circuit court to solely fund software, hardware, and associated equipment cost necessary for implementation and maintenance of an Electronic System. In 2017, if the \$5 had been collected to assist with the maintenance of the MDT's we would have collected \$30,920.00 in fees. The networking cost for the six terminals would run \$2,600 a year. Staff recommends this be placed on the agenda for a public hearing.

Mrs. Moler let the Board know that this is currently not allowed in the Page County Code, so it would require a code amendment.

Motion: Supervisor Stroupe moved to place the Assessment of Court Cost to Support the Implementation and Maintenance of an Electronic Summons System Code on the next Board of Supervisors agenda for public hearing. Supervisor Vaughan seconded and the motion carried by a vote of 5-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None. Absent: Guzy.

New Business:

Review of Zoning Ordinance Amendment (Pools):

Tracy Clatterbuck, Zoning Administrator, reviewed that Section 125-4 of the Page County Zoning Ordinance defines "structures" as follows: "An assembly of materials having an ascertainable stationary location, which can include; stadiums, platforms, observation towers, communication towers, storage tanks, swimming pools, amusement devices, storage bins, gazebos, sheds and other similar uses. The word "structure" shall be construed as though followed by the words "or parts thereof" unless the context clearly requires a different meaning." All buildings are structures. Based on this definition, a swimming pool (to include above ground and in-ground pools) is considered a structure.

A swimming pool is considered a structure and requires a zoning permit, which also requires that minimum setback requirements are met. Staff is proposing that Section 125-14.1, Additional regulations for all districts, be amended by adding that "above ground swimming pools may project no more than five feet into any yard setback." Currently, under Section 125-14.1 of the Page County Zoning Ordinance, it states "terraces, patios or unenclosed porches may project no more than five feet into any yard setback". This amendment was approved by the Board of Supervisors on August 17, 2010. An above ground pool would not be considered permanent since they are not placed on permanent foundations. Staff would argue that a porch or deck is considered permanent due to how they are typically placed (piers, footers, slab, etc.) and they are currently allowed to project five feet into any yard setback; therefore, not making sense that we wouldn't allow an above ground pool to do the same which can be more easily dismantled than a porch or deck. The Planning Commission held a public hearing on June 12, 2018. There were no comments from the public regarding this proposed ordinance amendment. The commission voted 9-1 in favor of recommending approval to the Board of Supervisors. Staff recommends that Section 125.14.1 (Additional Regulations for all Districts) be amended to add the following: "(3) Above ground swimming pools may project no more than five feet into any yard setback." The proposed amendment has been reviewed and approved by legal for adoption.

Motion: Supervisor Foltz moved that the Page County Board of Supervisors hold a public hearing on this proposed ordinance amendment at the July 17, 2018 meeting, and direct staff to provide adequate notice of such hearing in accordance with Section 15.2-2204 of the Code of Virginia. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Stroupe, Foltz, Vaughan, Phenix. Nay: None. Absent: Guzy.

Open Public Comments:

There were no speakers for Open Public Comments.

Administrator's Report:

Mrs. Moler reported to the Board that she will be attending the VLGMA conference June 20-22, 2018. She indicated that the auditors have been in this week and so far everything

has been good. A DEQ inspection was conducted at the landfill and no issues were found. The Animal Shelter has no phone or internet and may be out until July 3, 2018. She asked the Board if they wanted to cancel the July 3, 2018 work session because there was only one item on the agenda. Lastly, she reminded the Board they need to conduct her evaluation.

Motion: Supervisor Vaughan moved to cancel the July 3, 2018, Board of Supervisors work session. Supervisor Wiatrowski seconded and the motion carried by a vote of 5-0. Aye: Foltz, Vaughan, Phenix, Wiatrowski, Stroupe. Nay: None. Absent: Guzy.

Supervisors Time:

The Board thanked everyone for coming out. Chairman Phenix invited the public and the Board to attend the Page Valley Amateur Radio Club Field Day June 23-24, 2018 at Lake Arrowhead.

Closed Session: 8:33 p.m.

Motion: Supervisor Foltz moved that the Page County Board of Supervisors convene in closed session under the Virginia Freedom of Information Act to consult with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Page County Board of Supervisors, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. Supervisor Vaughan seconded and the motion carried by a vote of 5-0. Aye: Vaughan, Phenix, Wiatrowski, Stroupe, Foltz. Nay: None. Absent: Guzy.

Exit Closed Session: 9:25 p.m.

Motion: Supervisor Wiatrowski moved the closed meeting be adjourned and the Page County Board of Supervisors reconvene in open session. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Phenix, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None. Absent: Guzy.


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 were heard, discussed or considered in the meeting.

<u>Recorded Roll Call Vote:</u>	<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			
Jeff Vaughan	X			
Morgan Phenix	X			

Adjourn: 9:27 p.m.

With no further business, Chairman Phenix adjourned the meeting.


Chairman


County Administrator