

Minutes
Board of Supervisors
Regular Meeting
July 21, 2020

Members Present: Morgan Phenix, Chairman At-Large
D. Keith Guzy, Jr., 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 Morgan Phenix called to order the regular meeting of the Page County Board of Supervisors on July 21, 2020, in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA, 22835. Due to the COVID-19 pandemic, in-person attendance was limited to 10 people for social distancing, therefore, the meeting was live streamed via Zoom. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

Adoption of the Agenda:

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

Presentations, Proclamations and Awards:

Employee Recognitions:

Mrs. Moler said in June, Kayla Riley, ECC/Revenue Recovery Manager, and Chris Bundy, ECC Telecommunicator, received their General Instructor Certification from the Central Shenandoah Criminal Justice Training Academy. She presented them both with certificates.

Kayla Riley, ECC/Revenue Recovery Manager, presented the Board with a story of how two of the County EMT's, Tina Campbell and Kendra Sours, saved the life of a citizen who was in cardiac arrest. She then called them both up to the podium and they were presented with certificates.

VDOT Update:

Don Komara, Virginia Department of Transportation Residency Administrator, updated the Board on VDOT projects in the County. He informed the Board that the U. S. Highway 211 White House Bridge project is moving along and they have been working on the boat landing as well. He reviewed all the paving projects being done this year. He said they fixed Cub Run bridge and the projected on Printz Mill Road has been completed. Next year, he said they will start the South Page Valley Road project and Island Ford Road project. Lastly, he said they have finished the first round of mowing and are starting on the second round.

The Board ask Mr. Komara to look at placing some safety signage at the Goodmill Road intersection on Route 340 North. He was also asked if anything could be done on Hinton Road to control the speeding. Mr. Komara said he would look into it.

Tax Collection Update:

Penny Gray, Treasurer, gave the tax collection report for the first collection of the year. The county had \$18,937,774.51 at the end of June. Actual revenue was \$38,325,618.32 and expenses for the year were \$32,255,771.81.

Public Comments on Agenda Items:

No comments were received from the public.

Action Matters:

Titan Change Order Request – Courthouse Project:

Mrs. Moler explained that Titan Restoration Company has submitted a change order request, with two options for window sealant or replacement in the Courthouse. Option #1 is to replace up to forty-seven (47) windows at a cost of \$28,950. Option #2 is for sealant replacement of each window, at a cost of \$19,100.00. She said she wanted to make the Board aware of this and that, since it will require Board approval, it was included with budget changes. The Board was in consensus to choose option #1.

Budget Changes:

Dennis Click, Director of Finance, said the Page County Capital Projects Fund needs an appropriation of carryover funds set aside in the previous year but not yet expended on the Courthouse Restoration project in the amount of \$265,285. The Town of Shenandoah has submitted a request for reimbursement of eligible expenditures for Coronavirus Funds totaling \$7,638.33. Planning & Community Development requested an appropriation of \$1,831.60 in carryover of state funds. He recommended approval of the appropriations in the amount of \$274,754.93.

Supplemental appropriations requests:

Department	Description	Revenue Source	Expenditure	Amount
Capital Project	Courthouse Renovations	Budget/Carryover Funds 101-0000-341.04-07	Courthouse Repair 301-9420-541.80-42	\$265,285.00
Various	Coronavirus Relief Funding	Budget/Carryover Funds 101-0000-341.04-07	CARES Act 101-9310-493.59-99	\$7,638.33
Various	DHCD Planning Grant	Budget/Carryover Funds 101-0000-341.04-07	DHCD Planning Grant 101-8111-481.59-52	\$1,831.60
Total Request				\$274,754.93

Motion: Supervisor Vaughan moved to approve the appropriation of carryover funding in the amount of \$274,754.93. Supervisor Louderback seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

CDBG Grant Certifications:

EXHIBIT A

Liz Lewis, Economic Development/Tourism Coordinator, said Page County Economic Development is in the process of receiving funding from the Virginia Department of Housing and Community Development (DHCD) for a Community Development Block Grant (CDBG) - Virginia Funding Opportunities for COVID-19 Response. The purpose of the grant funding is to provide food and small businesses assistance. To receive funding, Page County must follow the application guidelines set forth by HUD. Those guidelines require several resolutions be passed by the governing body. The following prepared resolutions need to pass for funding to be received: Business and Employment Plan, Non-Discrimination Policy, Grievance Procedure, and Fair Housing Certification. Staff's recommendation was to approve the resolutions as presented.

Motion: Supervisor Stroupe moved that the Board of Supervisors approve the Business and Employment Plan, Non-Discrimination Policy, Grievance Procedure, and Fair Housing Certification. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

Board and Commission Appointments:

Regina Miller, Assistant County Administrator, reviewed the following Board and Commission vacancies:

Social Services Board:

A vacancy exists on the Social Services Board for District 2. The term of Jan Sletten expired June 30, 2020 and she has already served two terms, so she is not eligible for reappointment. The person appointed would serve a term that would expire on June 30, 2024.

Motion: Supervisor Louderback moved to appoint Chris Ponn to the Social Services Board (District 2) for a term to expire June 30, 2024. Supervisor Vaughan seconded and

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

Consent Agenda:

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

- Financial reports for the periods of June 1-30, 2020;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,333,830.45 for the month of June 2020;
- Minutes of June 16, 2020.

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

Old Business:

There was no Old Business to discuss.

New Business:

Review of Rezoning Request – Knott:

Tracy Clatterbuck, Zoning Administrator, reviewed that Allen & Sabrina Knott has filed an application to rezone property at 5385 US Highway BSN 340, Stanley, VA, and further identified by tax map number 72-A-93F, containing 2.916 acres, and the property located off US Highway BSN 340 (adjacent to #5385), Stanley, VA, and further identified by tax map number 72-A-93G, containing 2.758 acres. The applicant is requesting to rezone both of these properties from Agriculture (A-1) to Commercial (C-1). The applicant is currently operating an illegal contractor office and showroom located at 5385 US Highway BSN 340, Stanley, VA. Contractor offices and retail shops are only permitted in the Commercial (C-1) zoning district by-right. The applicant has reached out to the following agencies Virginia Department of Transportation (VDOT), Page County Health Department and Page County Building Office, with no objections. The properties that are adjacent to this lot are zoned as Agriculture (A-1). Recently, tax map number 72-A-34 was approved by the Board of Supervisors to be rezoned from Agriculture (A-1) to Commercial (C-1). The Planning Commission held their public hearing on this application on June 23, 2020 and voted unanimously (6-0) to recommend approval of the rezoning request. Staff feels the rezoning of these properties from Agriculture (A-1) to Commercial (C-1) is appropriate for the community. Also, considering that these properties are located directly on business 340 and are in the vicinity of already commercially zoned property, staff recommends that the Board consider granting these rezoning requests.

Motion: Supervisor Foltz moved that the Board of Supervisors hold a public hearing on the rezoning requests for the properties listed above at the August 18, 2020 regular meeting, and direct staff to provide adequate notice of such hearing, in accordance with the Code of Virginia 15.2-2204. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Louderback, Stroupe, Foltz. Nay: None.

Review of Proposed Code Amendment – Animals:

Mrs. Moler said the last time the animal shelter fees were updated was in 2005. Mrs. Moler suggested to not have a specific dollar amount but to say the fee shall be established, by resolution, by the governing body, so the Code would not have to be changed if we need to increase the fee. She suggested Section 34-21.B. of the County Code be amended, as follows:

An impounded dog may be repossessed by his owner for a fee upon proof that the dog is licensed and inoculated or vaccinated for rabies. The fee shall be established, by resolution, by the governing body. If the owner fails to repossess his dog, it can be adopted by paying the impoundment fee and all costs for inoculation and vaccination prior to the adoption and release of the dog.

Mrs. Moler said this will have to go to a public hearing before it can be amended.

Motion: Supervisor Vaughan moved to hold a public hearing on the proposed Code Amendment- Animals. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Louderback, Stroupe, Foltz, Vaughan. Nay: None.

Open Public Comments:

No comments were received from the public.

Administrator's Report:

Mrs. Moler said the schools are reopening and the School Superintendent Wendy Gonzalez will update the Board as soon as the School Board adopts it. She also said the landfill recycled 135 tons of recyclables in the month of June and 1,636.4 tons for the year, which is waste that did not go into the landfill. The Berkley Group will be holding the stockholders meeting, in the Board Room, on September 2, 2020 during the day followed by an informational session with the public at the Stanley Fire Hall at 6 pm.

Supervisors Time:

Supervisor Stroupe said he will be out of town for the September 2, 2020 meeting.

Supervisor Louderback said he would be out of town for the August 4, 2020 meeting.

Supervisor Vaughan said he has talked with the Shenandoah Rescue Squad and things are moving along.

Supervisor Guzy thanked the Page County Fair Board for holding the livestock sale, since the actual fair has been canceled.

Chairman Phenix said we must be prepared to keep our integrity in the face of all the turmoil in the world.

Closed Session:

Motion: Supervisor Guzy moved that the Page County Board of Supervisors convene in closed session under the Virginia Freedom of Information Act in order to discuss personnel matters relating to an employee of the Page County Board of Supervisors for the purpose of considering such person's assignment, performance, performance, demotion, and disciplining, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia; and to consult with legal counsel, for 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)(8). Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

Exit Closed Session:

Motion: Supervisor Guzy 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 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

Certification of Closed Meeting:

To the best of my knowledge (i) 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 (ii) 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.

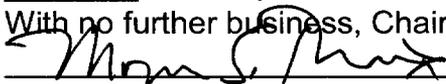
<u>Recorded Roll Call Vote:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
D. Keith Guzy, Jr.	X			
Allen Louderback	X			
Mark Stroupe	X			
Larry Foltz	X			
Jeff Vaughan	X			
Morgan Phenix	X			

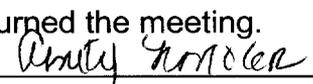
Motion:

Supervisor Vaughan moved to purchase three power cots for EMS, one for each of the three paid EMS locations, to be paid for from the CARES funding. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

Adjourn: 9:52 p.m.

With no further business, Chairman Phenix adjourned the meeting.


Morgan Phenix, Chairman


Amity Moler, County Administrator

BUSINESS AND EMPLOYMENT PLAN

1. The Page County Board of Supervisors designates as its Section 3 Business and Employment Project Area the County of Page.
2. The Page County Board of Supervisors, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials, and supplies the County of Page, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County:
 - (a) The Page County Board of Supervisors shall identify the contracts required to conduct the CDBG activities.
 - (b) The Page County Board of Supervisors shall identify through various and appropriate sources including:
 - Virginia Employment Commission
 - Local Newspaper of General Circulation
 - Daily News Record, Harrisonburg, VA
 - Page News & Courier, Luray, VAthe business concerns within the County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the CDBG.
 - (c) The identified contractors and suppliers shall be included on bid lists used to obtain bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.
 - (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBG funds.
4. The Page County Board of Supervisors and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the County:
 - (a) The Page County Board of Supervisors in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.

- (b) The Page County Board of Supervisors shall advertise through the following sources

Virginia Employment Commission

Project Area Newspaper of General Circulation

Daily News Record, Harrisonburg, VA

Page News & Courier, Luray, VA

the availability of such positions with the information on how to apply.

- (c) The Page County Board of Supervisors, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquires and applications.
- (d) To the greatest extent feasible, the Page County Board of Supervisors, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Development Block Grant (CDBG).
5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974, as amended*, the Page County Board of Supervisors shall keep, and obtain from its contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the CDBG. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

Duly adopted at the regular meeting of the Page County Board of Supervisors on July 21, 2020.



Signature of Authorized Official

Fair Housing Certification

Compliance with Title VIII of the Civil Rights Act of 1968

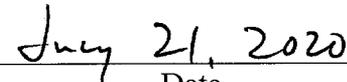
Whereas, Page County has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

Whereas, recipients of funding under the Act are required to take action to affirmatively further fair housing;

Therefore, Page County agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.



Signature of Authorized Official



Date

GRIEVANCE PROCEDURE

The following grievance procedure has been adapted from a sample grievance procedure developed by the U. S. Treasury, Office of Revenue Sharing based on material prepared by the U. S. Department of Health and Human Services, Office of Civil Rights, Regional Technical Assistance Staff. It is intended as a guide only, to be tailored by recipient governments to suit their own particular circumstances and in consideration of any applicable state or local laws. This sample grievance procedure once completed should satisfy the requirements of the Department of Housing and Urban Development's (HUD) Section 504 regulations (24 CFR Part 8.53(b). Recipients should be reminded that existing grievance procedures may be used to meet the HUD requirements.

Grievance Procedure

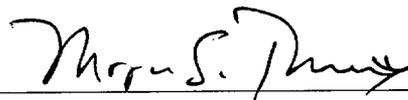
The Page County Board of Supervisors has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

Complaints should be addressed to: Liz Lewis, Economic Development/Tourism Coordinator, Department of Planning & Community Development, 103 South Court Street, Suite B, Luray, VA 22835, 540-743-1216, who has been designated to coordinate Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within fifteen (15) calendar days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Liz Lewis. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), the County of Page need not process complaints from applicants for employment or from applicants for admission to housing.

4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Liz Lewis and a copy forwarded to the complainant no later than seven (7) calendar days after its filing.
5. The Section 504 coordinator shall maintain the files and records of the County of Page relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within five (5) calendar days to Shatala Merritt, Human Resources Generalist.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the County of Page complies with Section 504 and the HUD regulations.

Duly adopted at the regular meeting of the Page County Board of Supervisors on July 21, 2020.

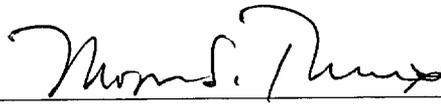
A handwritten signature in black ink, appearing to read "Morgan S. Perry", written over a horizontal line.

Signature of Authorized Official

NON-DISCRIMINATION POLICY

The Page County or any employee thereof will not discriminate in employment, housing or accommodations because of race, color, religion, national origin, sex or gender, age, familial status, source of income, veteran status, disability, sexual orientation or gender identity. Administrative and personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Duly adopted at the regular meeting of the Page County Board of Supervisors on July 21, 2020.

A handwritten signature in black ink, appearing to read "Norm S. [unclear]", written over a horizontal line.

Signature of Authorized Official