

Minutes  
Board of Supervisors  
Work Session  
February 7, 2022

Members Present: Keith Weakley, Chairman At-Large  
Allen Louderback, District 2  
Mark Stroupe, District 3  
Larry Foltz, District 4  
Jeff Vaughan, District 5

Electronic Participation: D. Keith Guzy, Jr., District 1

Staff Present: Amity Moler, County Administrator  
Regina Miller, Assistant County Administrator  
Michael Helm, County Attorney

**Call to Order:**

Chairman Keith Weakley called to order the work session of the Page County Board of Supervisors on February 7, 2022, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA 22835. The call to order was followed by a Moment of Silence and the *Pledge of Allegiance*.

**Electronic Participation:**

Supervisor Guzy was unable to physically attend the meeting, but had requested to be able to participate electronically. He was telephoned into the meeting and his voice could be heard by all persons.

**Motion:** Supervisor Vaughan moved to approve that Supervisor Keith Guzy be allowed to participate electronically in the meeting. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Weakley, Guzy, Louderback, Stroupe, Foltz, Vaughan. Nay: None.

**Presentation of the FY 2021 Audit:**

James Kelly, Robinson, Farmer, Cox Association, PLLC, presented the FY 2021 audit to the Board. He noted that this is the fourth year in a row that the County received the Certificate of Achievement for Excellence in Financial Reporting, which shows the County wants to present its financial statements at the highest level. He reviewed that the audit objectives are the expression of opinions as to whether the basic financial statements are fairly presented, in all material respects, in conformity with Generally Accepted Accounting Principles and they are required to report on internal control and compliance in accordance with Government Auditing Standards as well as internal control related to major programs and compliance with the Uniform Guidance. The County received an unmodified audit opinion, which is the highest level of assurance available meaning that the financial statements are fairly stated and materially correct. He noted that they are also required to issue a report on internal controls. He said they had one small finding

this year on the COVID-19 grant expenditures in relation to the broadband project. Mr. Kelly indicated that they also check for state compliance such as budget, procurement and VRS. He pointed out that the unassigned fund balance in the General Fund for the year was \$18.6 million and the County had \$22 million in cash and cash equivalents. The revenues exceeded the expenditures for the year by nearly \$5 million. He mentioned that the County has a required unassigned fund balance policy of 15%, which means that the unassigned fund balance of the General Fund needs to be at least 15% of the annual budgeted expenditures. For the year ended June 30, 2021, the County ended the year with an unassigned fund balance of 48%. He noted that the per capita debt would be \$2,312. In fiscal year 2022, the County received \$3.6 million in ARPA funding that was deferred at the end of fiscal year 2021. The expenditure of those funds over the next three years will be audited in accordance with the Uniform Guidance in FY 2022 through 2024. Lastly, he reviewed the eligible use of the fund as well as the restrictions.

**Resolution – Building Code Appeals Board Compensation:**

James Campbell, Building Code Official, reviewed that in 2021 the Board adopted an amendment to Chapter 40: Building Construction of the County Code. The amendment included Article III: Appeals, which more closely follows the Uniform Statewide Building Code. This amendment included a section regarding compensation and reimbursement of the Local Board of Building Code Appeals members. There are currently five regular members and two alternate members on the LBBCA. The Board usually meets once per year unless an appeal is received. He requested that each member be compensated \$35 per meeting, including actual expenses. He presented a Resolution for the Board's consideration.

**Motion:** Supervisor Foltz moved to approve the Resolution – Compensation for the Page County Local Board of Building Code Appeals. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Weakley, Guzy, Louderback, Stroupe, Foltz, Vaughan. Nay: None.

**#2022-01  
RESOLUTION  
COMPENSATION FOR THE  
PAGE COUNTY LOCAL BOARD OF BUILDING CODE APPEALS**

WHEREAS, pursuant to the Code of Page County §40-12, the Page County Local Board of Building Code Appeals is duly appointed to hear and decide appeals of decisions of the building official concerning the application of the Uniform Statewide Building Code ("USBC").

WHEREAS, pursuant to the Code of Page County §40-21, each Local Board of Building Code Appeals member shall be compensated by the county for each meeting attended as determined by resolution of the Board of Supervisors and shall be reimbursed for actual expenses on a schedule and in accordance with the procedures established by the County Administrator.

NOW, THEREFORE IT BE RESOLVED, that the county shall compensate each Local Board of Building Code Appeals member at a per meeting rate of thirty-five dollars.

RESOLVED FURTHER, the Local Board of Building Code Appeals members shall be paid for:

Attending the annual meeting pursuant to the Code of Page County §40-13 and USBC Section 119.

Attending appeals hearing meetings.

Attending meetings by telephone or virtually if this method of attendance is required due to the member's infirmity or for similar extenuating circumstances.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Page, Virginia, held on the 7<sup>th</sup> day of February, 2022.

**Discussion of Solar Panel Fees:**

Mrs. Moler reviewed that this was previously discussed and the Board decided to wait on making a decision to revise fees for solar panels until a solar ordinance was adopted; however, that has not happened yet and the Board decided at the last meeting to discuss the fees. She provided a chart showing what other counties charge in comparison. She noted that Supervisor Louderback had suggested charging fees for panels based on square footage rather than a per panel fee. She said there are several other localities that charge a permit fee based on square footage. Currently, the County charges \$200 per megawatt for a commercial solar permit, plus the price of consulting/outsourcing fees to be assessed to the applicant if it exceeds the actual cost. The permit fee for residential is a \$100 base fee and \$10 per panel.

Supervisor Louderback indicated that he suggested charging between \$0.30 to \$0.35 per square foot for both residential and commercial. Mrs. Moler suggested leaving the consulting/outsourcing fee to the applicant in the permit fee schedule.

Chairman Weakley also suggested increasing the fee for the special use permit, plus an amount per acre disturbed.

After discussion, it was consensus of the Board that Supervisor Louderback and Mrs. Moler will work on this and bring a recommendation back to the Board.

**Discussion of Penalty & Interest on Delinquent Taxes:**

Mrs. Moler reviewed that the County Code is set to apply a 10% penalty and interest when taxes are delinquent. She said the penalty is set by the Board and it has not been revised for many years. She mentioned that once the penalty and interest is applied often times people cannot get ahead when making payments on time because of the accruing penalty and interest. She said that many people have setup payment agreements that have faithfully paid. Several options were discussed previously by the Board such as a tiered

payment structure. She noted that only the Board can waive penalty and interest, not the Treasurer. She asked the Board if they want to consider a one-time loan for a payoff from the taxpayer and waive the penalty and interest.

Supervisor Louderback indicated that he felt it is a fair proposal. He said this would open it up for everyone to take advantage of the opportunity and get the delinquent taxes up to date.

Penny Gray, Treasurer, provided the Board with a handout showing the delinquent personal property and real estate tax, plus penalty and interest collected from 2016-2021. She mentioned that there are several taxpayers that faithfully pay their delinquent tax every month and the payment does not cover the penalty and interest that was on their account for the month.

Supervisor Guzy expressed that the Board should not waive the penalty because there needs to be some consequence for not paying on time, but should consider waiving the compounding interest. Further, this should only be considered for real estate not personal property.

Supervisor Foltz indicated that he was not in favor of waiving penalty and interest.

Supervisor Vaughan commented that the issue is the compounding interest on real estate. He cautioned the Board in doing a one-time waiver. He said it is the taxpayer's responsibility to understand as an owner the obligation to paying taxes.

Mr. Helm stated that he does not believe the Board has the authority to waive penalty and interest, according to the Code of Virginia, but would like time to research and report back to the Board before making any decisions.

After discussion, it was consensus of the Board to table this matter until the March 7<sup>th</sup> meeting.

**Planning Commission Appointment:**

Ms. Miller reviewed that Allan Betcher (District 2) has resigned from the Planning Commission. Supervisor Louderback indicated that he would like to appoint Tom Mitchell to fill the vacancy.

**Motion:** Supervisor Louderback moved to appoint Tom Mitchell, to the Planning Commission, as the District 2 representative, for an unexpired term to begin immediately and expire on January 10, 2026. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Weakley, Guzy. Nay: None.

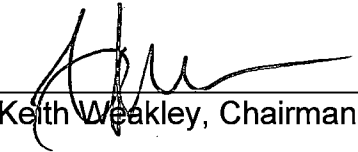
**Statement by Supervisor Vaughan:**

Supervisor Vaughan stated that at the last meeting he made the comment during the meeting classifying a group of folks that was in the process of doing things with the Shenandoah Rescue Squad "that it's like dealing with a bunch of clowns". A lot of

people took the statement in the wrong way and were offended, but didn't understand the entire circumstance of what took place. He apologized for the comment.

**Adjourn:** 8:00 p.m.

With no further business, Chairman Weakley adjourned the meeting.

  
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Keith Weakley, Chairman

  
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Amity Moler, County Administrator