

Minutes  
Board of Supervisors  
Work Session  
June 4, 2019

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  
Nathan Miller, County Attorney  
Janeena Zalipski, Office Aide

**Call to Order:**

Chairman Morgan Phenix called to order the work session of the Page County Board of Supervisors on June 4, 2019, 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*.

**Public Hearing – VDOT Secondary Six Year Plan:**

Chairman Phenix opened the public hearing on the Secondary Six Year Plan at 7:04 p.m.

Don Komara, Virginia Department of Transportation Residency Administrator, reviewed the projects on the Secondary Six Year Plan. He said that the Serenity Ridge Road project has been completed. Peach Orchard Road is being worked on now, as well as Printz Mill Road, which they expect to be finished this summer. Work on Fox Hollow Road will begin next year. He said that South Page Valley Road will be built in two sections; first, will be to add stone and then to hard surface. He noted that there are several citizens who do not want Island Ford Road paved, so they will be widening it enough to allow for two vehicles to pass in addition to installing a new culvert pipe to help with the water issue. Last on the Plan is McDaniel Lane, north of Shenandoah, which is not scheduled until the last year on the Plan.

Mr. Komara then reviewed that they are mowing, seeding, and installing pipes for drainage countywide. The Smart Scale project to install a traffic light on Route 211 West at the Food Lion intersection has been approved, however it is at the end of the project list. Regarding the project on Route 340 and Route 660 (Kibler Hill Road) did not qualify for Smart Scale, but it is an area they will look at to make other improvements. Mr. Komara

said the county can participate in the rural addition road program, but 5% of the paving funds will be used to cover the cost of the projects.

Public Comments on VDOT Secondary Six Year Plan:

Mike Uram, Town of Stanley Councilman, said he is concerned VDOT is overlooking Stanley and Shenandoah. It seems that funding goes down every year for the County. Aylor Grubbs Road, in Stanley, has been talked about for years. That Road is in need of sidewalks. Lastly, he read from the Virginia Road book a section that students had written concerning transportation.

Terry Pettit, Stanley Town Manager, said the right-of-way was bought in 1968, by the Town, for Aylor Grubbs Road (Route 638). It has been on and off the plan, since that time. He asked the Board for their support to help keep this road on the plan.

With no further comments Chairman Phenix closed the Public Hearing at 7:34 p.m.

Regarding other transportation projects, Mr. Komara said that the Main Street Bridge in Luray will reopen on June 27, 2019. The White House Bridge project goes out for bid in September 2019. The tunnel in Shenandoah has been milled and paved which gained about 2 inches of clearance. He ended by complimenting the county for the good job done for the bridge naming ceremony at the Compton Bridge.

**Motion:** Supervisor Vaughan moved to adopt the VDOT Secondary Six Year Plan, as presented. Supervisor Guzy seconded and the motion carried with a vote of 6-0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

Special Use Permit – Cape Solar (Revised Proposed Conditions):

Chip Dicks, Legal Counsel for Urban Grid, explained that the April 2, 2019 vote to deny the Cape Solar special use permit, was a tie, which left the matter on the table. Mr. Dicks said he met with the County Administrator, the Chairman of the Board and the County's legal counsel to try and address the concerns of the citizens. He added that a proffer payment has been added to help the county offset some of the cost. Mr. Dicks read the proposed changes to the special use permit conditions as follows:

- Paragraph 1: The special use permit shall run with the land. This special use permit is transferable. It will meet the requirements in and have privileges provided for in the Page County Zoning Ordinance and any ordinance amendments as of the date of approval or amendment and continuing for the period set forth within the parameters in this special use permit. The special use permit shall remain with the property for a period of ~~fifty (50) years~~ *thirty-five (35) years of commercial operation. For purposes of these conditions, this thirty-five (35) year period shall commence upon the end of the first month following the commercial operation date. Which means the date that the facility delivers continuous electrical energy*

*to the grid. Unless this special use permit is extended by Page County, the generation of electricity for delivery to the grid shall cease at the end of the thirty-five year period. Following the expiration of that period or if construction activity ceases for a period of over one year prior to commercial operation. The facility shall be removed within twenty-four (24) months pursuant to the decommissioning plan set forth in paragraph 13.*

- Paragraph 5: Installation of solar panels is permitted to provide a solar electricity generating facility capable of generating up to 100 megawatts ac of power generation ~~on~~ *while limiting the areas covered by solar panels to 356 acres within the 559 acre site.*
- Paragraph 29 added: *Applicant shall make a payment of two hundred thousand dollars (\$200,000.00) (The "first payment") to Page County within 90 days after approval of the special use permit as a cash proffer for the purpose of offsetting costs incurred by Page County for public safety communications services that benefit applicant's facilities. The first payment shall be paid to Page County regardless of whether or not applicant proceeds with the construction of the facility.*
- Paragraph 30 added: *Applicant shall make a second payment of two hundred thousand dollars (\$200,000) (the "second payment") no earlier than July 1, 2020. The second payment is due when applicant has received all of its approvals and permits to begin construction of facilities on the property for generation of electric power to the PJM grid and applicant proceeds to construction.*
- Paragraph 31 added: *The applicant shall not develop a separate storage facility on the property for the purpose of storage of electric power on such property. For the purposes of this condition, storage of electric power does not include incidental storage of electric power in the solar facilities to be developed on such property.*

Mr. Dicks added that the decommissioning plan will have a bond and that this plan should be revisited every five (5) years. The Board of Supervisors voted that solar projects were in compliance with the County's Comprehensive Plan and all of the citizen's concerns have been met. He said the Board should approve this special use permit.

Roger Bowers, Legal Counsel for Urban Grid, added that the decommissioning plan for this project is more robust and the details are on file and will have to be maintained by the applicant.

**Cash Flow Update:**

Penny Gray, Treasurer, reported that this is the last week for the first half year tax collections and they have been solid. It appears that FY2019 should end with

\$10,536,628.00. She updated the Board on the investments and said the County has earned 2.576% with LGIP.

**Special Entertainment Permit – Swim Fest:**

Mrs. Moler explained that Racine MultiSports has requested a special entertainment permit to conduct Swim Fest on June 15, 2019, at Lake Arrowhead. The event is anticipated to encourage repeat visitation to the community. She recommended approval of the permit.

**Motion:** Supervisor Stroupe moved that the Board of Supervisors approve the Special Entertainment Permit application for the following Racine MultiSports event: Swim Fest Luray, Saturday, June 15, 2019, at Lake Arrowhead. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

**TOT Funding Distribution:**

Mrs. Moler reminded the Board of the guidelines for receiving the transient occupancy tax whereby agencies had to submit receipts to the Board showing how the funds were spent in order to receive future funding. The following agencies have provided documentation for their spending: Caverns Shrine Club, Chamber of Commerce, Luray Swimfest/Triathlon, Performing Arts Luray, Shenandoah Valley Racket T'ers, Town of Luray, Page County Economic Development, Page Valley Arts Council, Town of Shenandoah, and Shenandoah Heritage Foundation. She also reminded the Board that the \$1,000,000 is an anticipated figure and they should leave some remaining in the fund. The ED & Tourism Coordinator, the 2% to the General Fund, the Planning and Community Development Assistant and the Administrative Fee should be taken first since these are already appropriated.

**Motion:** Supervisor Guzy moved to appropriate the TOT funds, as presented. Supervisor Wiatrowski seconded and the motion passed with a vote of 5-1. Aye: Wiatrowski, Foltz, Vaughan, Phenix, Guzy. Nay: Stroupe.

Supervisors Foltz and Stroupe suggested that all three towns receive the same amount of funding. The Town of Stanley will have to submit their receipts for last year, in order to qualify.

Supervisor Guzy amended his original motion.

**Amended Motion:** Supervisor Guzy moved to approve the TOT funds, as presented, adding the additional funding to the Town of Stanley. Supervisor Wiatrowski seconded and the motion passed with a vote of 5-1. Aye: Foltz, Vaughan, Phenix, Guzy, Wiatrowski. Nay: Stroupe.

ED & Tourism Coordinator - \$60,798  
2% TOT to General Fund – \$400,000  
Planning and Community Development Assistant – \$23,024  
Administrative Fee – \$21,000  
Chamber of Commerce - \$300,000  
Page Co. Economic & Community Development - \$75,000  
Luray Triathlon (Racine) - \$10,000  
Cavern's Shrine Clue – Voices for the Children - \$2,500  
Luray Half-Marathon (Racine) - \$5,000  
Swim Fest – Luray (Racine) - \$2,000  
PACA Events (Turkey Trot, Earth Day, Polar Plunge) - \$5,000  
Performing Arts Luray - \$5,000  
Shenandoah Heritage/Memorial Day - \$5,000  
Shenandoah Valley Racket T'ers - \$2,500  
Town of Luray - \$15,000  
Town of Shenandoah (Events and Marketing) - \$15,000  
Town of Stanley - \$15,000  
Page Valley Arts Council – \$8,000  
Page Valley Fair – \$10,000  
Rileyville Recreation Center - \$3,000  
Living Legacy - \$5,000  
Total - \$987,822  
Remaining Balance - \$12,178

**Adjourn:** 8:30p.m.

With no further business Chairman Phenix adjourned the meeting.



\_\_\_\_\_  
Morgan Phenix, Chairman



\_\_\_\_\_  
Amity Moler, County Administrator