

Minutes
Board of Supervisors
Work Session
July 2, 2019

Members Present: Morgan Phenix, Chairman At-Large
D. Keith Guzy, 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 July 2, 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 a Moment of Silence and the *Pledge of Allegiance*.

The Board added the following items to the agenda: 1) Letter to the Governor Regarding the Gas Tax Increase; 2) Zoning Ordinance Amendment – Animals in Residential Districts; and, 3) Discussion of the TOT Funding Distribution.

Presentation of Landfill Facility Review Plaque:

Mrs. Moler explained CHWMEG, Inc. conducts objective assessments and distributes resulting reports exclusively to its members. This award will open up doors to vendors that could possibly bring their waste to the Battle Creek Landfill. CHWMEG has conducted a facility review and has determined Battle Creek Landfill a responsible waste facility. Jeff Blevins and Toby Longanecker completed the in-depth package of information in order to qualify, which included all DEQ documents, financials and the overall cleanliness of the landfill. Chairman Phenix presented Jeff Blevins and Toby Longanecker the plaque and congratulated them for a job well done.

Update on the Stanley Sandlot Baseball Team:

Donnie Wilson of the Stanley Sandlot Baseball team gave the Board an update on the baseball team. He thanked the Board and County Attorney for all the help the team has received. He said with the help of Supervisor Stroupe the baseball team has a place on the new Town of Stanley sign. Last fall, the team gave the Town of Stanley a bronze plaque, which was attached to a bench in Ed Good Park. Mr. Wilson presented the Board

with a copy of the book recently published about the team. He continued to say that a documentary will be aired on July 18, 2019, at 8:30 p.m. on WVPT. The Team will be showing it July 16, 2019, at the Stanley Fire Hall and he invited the Board to attend. In conclusion, he said the Stanley Sandlot Baseball Team has given over \$12,000 back to the community from fundraising efforts.

Sheriff Budget Overspending Projection/Correction Plan:

Sheriff Chad Cabbage said his FY2019 budget will be over by \$515,650.73. He said that this problem has been discussed several times and asked if this is due to mismanagement by himself and the previous Sheriff's or failure of the Board to fulfill the obligations properly funding the areas of efficiency. He said this Board has received three letters from the Judges on the security problems within the courts. Again, no action has been taken by the Board and the problem continues to exist. It has been said that it is a scheduling problem in the courts, but he said he would show the Board a copy of the schedule so they can see how many officers it takes to cover. He indicated that it either takes overtime or additional staff to provide the coverage needed. He asked the Board what is their plan? Sheriff Cabbage noted that the Board has been made aware of the rising cost of inmate housing, inmate medical, and increasing transportation costs. These costs are an unknown; we cannot predict or control the number of inmates we receive or the medical costs they may create for the county to bare. Sheriff Cabbage said that the Board needs to sit down with him and address how the Sheriff's Department and the Board can address this problem. We are still working with a jail that was designed to hold 26 inmates, and as of today, 75 is housed there. In 2016, Sheriff Cabbage said he made a recommendation that would have impacted the way we house inmates and would have saved the county over \$200,000 annually, but no action was taken by the Board. He talked about the success of the work release program and said the fund from this program go back into the General Fund. He felt they should be returned to the Sheriff's Office to improve more programs. He said that properly funding the Sheriff's Office is what is needed. Projected grant funds used in the budget planning process is a bad practice because they have no guarantee that they will receive grant funding. Grants awarded to the Sheriff's Department are used to improve services provided to county citizens, not to balance the budget. Sheriff Cabbage then proposed that two members of the Board be appointed to serve on a committee with him and his staff to solve the budget issues of the Sheriff's Department, before he submits an addendum to his budget based on the past and present issues with the areas of concern.

Chairman Phenix said that he was asked to attend the Board meeting to address the overspending projection as well as a correction plan. Chairman Phenix asked if the correction plan was to form a committee. Sheriff Cabbage said it was.

Supervisor Guzy said that since he receives financial reports from the Finance Department every month the Sheriff should not be surprised about being overbudget. He said the Board never received a plan or action item until May, when the Board heard he

was over budget. He said the Board cannot raise taxes to the amount he needs. Fixing it is not throwing money at it. Once the Board adopts the budget, he said that is the budget for the year. He said the Sheriff should have come to the Board about his budget situation long before now. He said he would serve on the committee.

Supervisor Vaughan would like for the Sheriff's Department to present quarterly so they can stay on top of things. He said he would serve on the committee. He asked how the Sheriff's Department is utilizing its space and staff. Supervisor Vaughan said after taking the tour he knows there are some unsafe problems that need to be fixed.

Supervisor Stroupe asked when we can expect the report from the jail study. Dennis Click, Director of Finance, said it should be back with in the next six weeks.

Special Entertainment Permit – Cooters:

Liz Lewis, Economic Development/Tourism Coordinator, said the Dukes of Hazzard cast will gather for the Good Ol' Boys Fest at the Shenandoah Speedway in Shenandoah, Virginia, on the weekend of August 10, 2018. This marks the 40th Anniversary of "The Dukes of Hazzard" TV series. Musical lineup for the festival includes: Confederate Railroad, Exile and the Saturday night headliner is Grammy winner Wynonna & The Big Noise. Additional activities include: car show, stunts, children activities and food vendors. Cooter's Place has requested a special entertainment permit to conduct Cooter's Good ol' Boys Fest on August 10-11, 2019 from 8 am - 10 pm on the 10th, and from 8 am - 7 pm on the 11th at the Shenandoah Speedway, Shenandoah, VA, with offsite RV camping at Cooter's Place off US HWY 211 W. Staff recommended the Board approve the special entertainment permit.

Motion: Supervisor Foltz moved that the Board of Supervisors approve the Special Entertainment Permit application for the following Cooter's Place event: Cooter's Fest – Good Ol' Boys Tour, Saturday, August 10th – Sunday, August 11th, 2019. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

Appointment of Tax Assessor for Reassessment:

Mrs. Moler said that pursuant to Section 58.1-3275 of the Code of Virginia, it is necessary for the Board of Supervisors to appoint a Professional Assessor, who must then be approved by the Department of Taxation. The Board approved Wingate Appraisal Service, to conduct the reassessment and they have recommended Miles F.P. "Skip" Willett, Jr., their project supervisor in Page County, to serve as the Professional Assessor. Mr. Willett previously served as Professional Assessor for Page County's 2011 General Reassessment. Mrs. Moler said she has provided the Board with Mr. Willett's resume in their packets.

Motion: Supervisor Vaughan moved to approve Miles F. P. “Skip” Willett, Jr., as the Professional Assessor for Page County once he has been approved by the Department of Taxation. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

Resolution – USDA Animal Control Grant:

Mrs. Moler said the Page County Sheriff’s Office was recently awarded a grant from the United States Department of Agriculture (USDA) in the amount of \$19,463, to be used toward the purchase of a new animal control truck. In order to accept the award, the Page County Board of Supervisors must adopt the Resolution of Governing Body of Page County.

Motion: Supervisor Guzy moved to adopt the Resolution – USDA Animal Control Grant, as presented. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

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Resolution of Governing Body of
County of Page

The Governing Body of the County of Page, consisting of 6 members, in a duly called meeting held on the 2nd day of July, 2019, at which a quorum was presented Resolved as follows:

BE IT HEREBY RESOLVED that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) for the purchase of a Sheriff’s Vehicle (Animal Control) to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the County Administrator of the County of Page be authorized to execute on behalf of Board of Supervisors the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Board.

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Proposed Amendment to the Rules of Procedure:

Supervisor Guzy said at the last meeting they had discussed transparency and upcoming meetings. The Chairman had some concerns that this would become cumbersome for staff. Working with legal counsel, they came up with the following language to amend the Rules of Procedure:

Amendment to Page County Board of Supervisors
Rules & Procedures dated January 16, 2018

IX. Meetings & Attendance.

L. Should a member of the Board schedule a meeting with any individual, business, or Page County governmental unit having matters before the Board, the Board member is strongly encouraged to advise the County Administrator of the meeting. As appropriate and feasible, the County Administrator may notify other Board members of the time and place of such scheduled meeting, to ensure that Board members have been afforded opportunity to take part in the discussions and to ensure that no more than two (2) Board members attend the meeting unless a public Notice is posted advising the public of the meeting.

Motion: Supervisor Guzy moved that the Board approve the proposed amendment to the Rules and Procedures concerning meetings and attendance, as presented. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Wiatrowski. Nay: None.

Old Business - Letter to the Governor Regarding the Gas Tax Increase:

County Attorney Miller said at the last meeting the question came up as to why Page County was included in the gas tax increase when the County is not located along the Interstate 81 corridor. He said he checked with Senator Mark Obenshain and there are ten counties included in the tax that do not touch I-81. Mr. Miller asked Senator Obenshain that he introduce a bill next year to exclude Page County from the tax. Mr. Miller said he thinks it's best to let the Senator's office handle the resolution with us and other counties. He said he would follow-up with Senator Obenshain.

New Business – Proposed Zoning Ordinance Amendments:

Supervisor Guzy said we are an agriculture county and many citizens take advantage of that by participating in 4H and FFA, with regards to animals and farming. He said there is a huge part of our county that is out of compliance, with the Zoning Ordinance. He said there are people who want to purchase land and move here and would like to have a horse, but then find out that they cannot have one due to the ordinance if the property is zoned residential. He would like to have the Zoning Administrator to start looking into this if the Board is in consensus. The Board was in consensus to have Mrs. Clatterbuck look into changing the Ordinance to allow for animals in residential districts.

Next, Supervisor Guzy would also like to look at changing the zoning on Route 211 which is now agriculture to a dual zoning for potential business opportunities. The Board agreed to ask Mrs. Clatterbuck to look into this as well.

New Business - Discussion of the TOT Funding Distribution:

Chairman Phenix said he has a concern that TOT funds, which are public funds may be misused by the organizations who receive it. He feels the Board needs assurance these monies need to have the proper paper trail of decision and disbursement. The use of those funds have to follow the proper expenditure of public funds. Supervisor Guzy said he would like to see the County pay receipts that are turned in rather than giving them the lump sum of allocated TOT. Dennis Click, Director of Finance, indicated that the TOT award letter that was sent this year stated that receipts will be required for verification purposes.

Closed Session:

Motion: Supervisor Guzy moved that the Page County Board of Supervisors convene in closed session under the Virginia Freedom of Information Act to discuss personnel issues relating to specific officers, appointees, or employees of the Page County Board of Supervisors for the purpose of considering such person's assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation pursuant to Section 2.2-3711(A)(1) of the Code of Virginia; and to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by counsel, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Wiatrowski, Stroupe. 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:

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.

Recorded Roll Call Vote:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
D. Keith Guzy, Jr.	X			
David Wiatrowski	X			
Mark Stroupe	X			

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Larry Foltz	X
Jeff Vaughan	X
Morgan Phenix	X

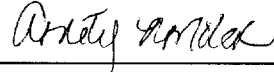
No action was taken as a result of Closed Session.

Adjourn: 9:01 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator