

Minutes
Board of Supervisors
Work Session
June 1, 2021

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
Michael Helm, 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 1, 2021, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

Supervisor Guzy asked to update the Board on the Broadband Authority and the Solar Ordinance at the beginning of the meeting.

Update on the Broadband Authority:

Supervisor Guzy said that staff recently reached out to a member of the Broadband Authority on scheduling a meeting, to gain an understanding on the current projects of the Authority. He said this person was not interested in a meeting at this time. Staff reached out a second time and the member was still not interested. Supervisor Guzy said he called the Chairman of the Authority and he said he was too busy to meet, but they are working on a plan of action and will provide it to the Board.

Update on the Solar Ordinance:

Supervisor Guzy informed the Board that he has talked with legal counsel about the solar ordinance and the next steps. The County Attorney has researched and found out that Rockingham County is also working on a solar ordinance that not only gives restrictions but explains why. They have formed a committee to develop an ordinance for their County. The County Attorney has recommended that the Board form a committee to review the proposal and study the concerns of the Board and the public, specifically addressing land use balanced against environmental, tourism, and agriculture concerns.

Supervisor Vaughan agreed with appointing a committee but stated that the Board needs we needs to also see how the solar farm already approved by the Board turns out.

The Board was in consensus to put this on the next meeting agenda for more discussion.

Split Voting Precinct Waiver Request:

Carol Gaunt, Voter Registrar, explained that because the census could not be completed, redistricting could not occur this year. Therefore, the Board needs to request a waiver in order to keep the precincts for this year's election. She said she will need to provide the Department of Elections with a copy of the minutes.

Motion: Supervisor Vaughan moved that Board approve requesting a waiver for the split voting precinct. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Louderback, Stroupe, Foltz, Vaughan. Nay: None.

Proposed Cigarette Tax Ordinance:

Becky Smith, Commissioner of the Revenue, said the Commonwealth of Virginia has granted counties the authority to enact a cigarette tax. In the past, this authority has only been granted to cities and towns. The date this bill will go into effect will be July 1, 2021. Mrs. Smith suggested the Board implement a tax of \$0.20 per pack. This new proposed tax could generate approximately \$40,000 to \$50,000 in revenue per year. The cost of implementing the tax will cost approximately \$4,000 for the purchase of the stamps. Mrs. Smith provided a copy of the proposed ordinance that sets forth the guidelines pertaining to this tax and said her office would be in charge of auditing the tax. All three towns within the County enacted this ordinance in 2010. She proposed that the ordinance would become effective September, 1, 202. She requested the Board hold a public hearing on this matter at the July 20, 2021 meeting.

Motion: Supervisor Vaughan moved to schedule a public hearing on the cigarette tax ordinance for the July 20, 2021 meeting. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

Sheriff's Office Appropriation Request (Emergency Supplies):

Sheriff Chad Cubbage explained that since his request for emergency, safety supplies was made, he has obtained more information regarding a drone. He said there is a public safety waiver for having a drone program. The policy must be implemented prior to being able to apply for the drone waiver. He said he would be required to have a minimum of two pilots on the scene. He reviewed the fees for training and certification for the drone program. The drone would be utilized for high profile search warrants, search and rescue and they are a tool for officer safety.

Supervisory Guzy stated that a DGI Mavic Pro drone, with zoom, is about \$2,500 for the package. He said this would allow the Sheriff's Department to have a drone for \$2,500 rather than \$32,397 and this would allow the Board to meet more of his safety needs.

The Board reviewed the Sheriff's request for supplies as follows:

- 39 Active Shooter Bags, estimated cost per item is \$32.99 for a total estimated cost of \$1,286.61. This to outfit all Page County Sheriff's Road officers, including school resource officers.
- 20 rifles (12 fully automatic, 8 non-fully automatic), total estimated cost of \$22,000.00.
- 39 composite plates, estimated cost per item is \$320.00 for a total estimated cost of \$12,480.00. This is to outfit all Page County Sheriff's Road officers including school resource officers. 39 plates will only cover the front of the officer's vest. The back will not have a plate.
- 4 composite plates and carriers, estimated cost is \$1,194.00. These will be kept in the Jail Armory in case of emergency where extras might be needed.
- 12 tactical boots, pants and shirts, estimated cost is \$3,280.92. This tactical clothing is for ERT, and will help ensure the safety of our officers responding to certain emergencies.
- 1 drone, public safety package, total estimated cost is \$32,397.00. This is to aid in missing persons (including Project Lifesaver individuals), scene security, search and rescue, etc. This package has the capability of night vision, sensors, firmware and live streaming.
- Total estimated cost of \$72,638.53.

Motion: Supervisor Stroupe moved to approve 39 Active Shooter Bags for an estimated cost of \$1,286.61, 20 rifles (12 fully automatic, 8 non-fully automatic) for an estimated cost of \$22,000, 39 composite plates for an estimated cost of \$12,480, 4 composite plates and carriers for an estimated cost of \$1,194, and \$2,500 toward the purchase of a drone, for a total appropriation of \$39,460.61. Supervisor Louderback seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

(Clerk's note: Supervisor Guzy left the meeting at 7:46 p.m.)

Review of Special Use Permit – Annita Foltz:

Tracey Clatterbuck, Zoning Administrator, reviewed that Annita Foltz has filed an application for a special use permit to operate a dog breeding business located at 522 Riverbend Road, Stanley, VA. The parcel is identified by tax map number 69-A- 106, contains 0.606 acres and is currently zoned as Agriculture (A-1). The property is improved with a single-family dwelling, detached garage, and two dog kennels (8x10 & 10x12). The

applicant also owns tax map number 69-A-106A, containing 0.075 acres, also zoned as Agriculture (A-1), which adjoins the above listed parcel.

The Planning Commission held their public hearing on May 11, 2021 and recommended approval (7-0) to the Board of Supervisors.

Motion: Supervisor Foltz moved that the Page County Board of Supervisors hold a public hearing on this special use permit application at the June 15, 2021 regular meeting, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia § 15.2-2204. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Louderback. Nay: None. Absent: Guzy.

Transient Occupancy Tax Funds Distribution:

Nina Fox, Director of Business Development & Tourism, said legislation on the transient occupancy tax changed May 1st. Due to the recent change, this has made staff look at ways to improve in order to become more compliant. There have been conversations regarding implementing a council to help with the determination and utilization of the transient occupancy tax funds. Historically, the Board would consider requests for funding and decide how to allocate the funds. With a council in place dictating the utilization of those funds, is most appropriate at this time. She asked the Board to consider appointing a council and staff will work with legal counsel to establish by-laws. The council would consist of representatives from each district and appointed by the Board for a two-year term, with an optional two-year extension. The legislation dictates that the council should include representatives of lodging properties and staff feels it should include anyone who owns a lodging facility that pays into the transient occupancy tax. The proposed members would be five. Chairman Phenix suggested that the membership include an at-large member.

Mrs. Moler indicated that this would be an advisory council who would meet quarterly and recommend funding uses to the Board.

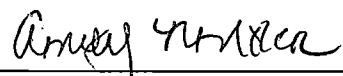
Motion: Supervisor Vaughan moved that to appoint a tourism council to include six members, one from each district and one at-large and the County Administrator. Supervisor Foltz seconded and the motion carried by a vote of 5-0. Aye: Foltz, Vaughan, Phenix, Louderback, Stroupe. Nay: None. Absent: Guzy.

The appointments and by-laws will be placed on the June 15, 2021 agenda.

Adjourn: 8:11 p.m.

With no further business to discuss Chairman Phenix adjourned the meeting.


Morgan Phenix, Chairman At-Large


Amity Moler, County Administrator