

Minutes  
Board of Supervisors  
Regular Meeting  
June 15, 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  
Tracy Clatterbuck, Zoning Administrator  
Tyler Olsen, Budget Officer  
Michael Helm, 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 June 15, 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., 22835. The meeting was live streamed on You Tube. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

**Adoption of the Agenda:**

**Motion:** Supervisor Foltz 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.

**Public Hearings:**

**VDOT Secondary Six-Year Plan:**

Chairman Phenix opened the public hearing on VDOT secondary six-year plan at 7:18 p.m.

Don Komara, Virginia Department of Transportation Residency Administrator, outlined the secondary six-year plan with the Board. The plan consists of the following projects: South Page Valley Road, Island Ford Road, McDaniel Lane, Mt. Carmel Road, Old Stanley Road, and Ida Loop Road. The Peach Orchard Road, Printz Mill Road, and Fox Hollow Road projects have all been completed.

He reported that most of the mowing has been completed on primary roads and the secondary roads will be completed by July 4<sup>th</sup>. He said that the traffic light at Food Lion is now in the design stage. He added that VDOT is trying to keep most of the paving in house because it saves money that can be put toward other projects. He explained there is a program called TAP which is an 80/20 split between VDOT and the County if there are projects the county wants to help fund. He said this funding is mostly used for sidewalks and bike paths.

There were no speakers on the VDOT secondary six-year plan. Chairman Phenix closed the public hearing at 7:28 p.m.

Supervisor Foltz asked about the Alma Bridge status. Mr. Komara stated that they have scheduled a meeting with the poultry industry and the gravel haulers for a discussion and should move forward from there. Supervisor Foltz said this should be high priority due to all the heavy trucks that cross the bridge. Mr. Komara suggested the Board may want to adopt a resolution.

Supervisor Louderback asked about Kimball Road and the fact that tractor trailers are not able to make some of the turns and get stuck on the road. He said signs need to be posted at the beginning of the roads. He also asked if Hulse Road could be considered as a rural rustic project. Mr. Komara said he would look into both of these issues.

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

**Special Use Permit – Annita Foltz:**

Chairman Phenix opened the public hearing on the special use permit for Annita Foltz at 7:33 p.m.

Tracy Clatterbuck, Zoning Administrator, said 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 .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 .075 acres, also zoned as Agriculture (A-1) which adjoins the above listed parcel.

Under §125-10. D(13) of the Page County Zoning Ordinance, veterinarian clinics, pet grooming, boarding and breeding of animals is only permitted by special use permit.

The Virginia Department of Transportation (VDOT), Health Department and Building Official had no objections to the permit.

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

There were no public comments made during the hearing. Chairman Phenix closed the public hearing at 7:34 p.m.

**Motion:** Supervisor Foltz moved that the Page County Board of Supervisors approve the special use permit for Annita Foltz at 522 Riverbend Road, Stanley, VA, to operate a dog breeding business, with the attached special use permit conditions. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

### SPECIAL USE PERMIT

Applicant: Annita Foltz

Tax Map #'s: 69-A-106 and 69-A-106A

Purpose: Dog Breeding Business

1. 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 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.
2. Annita Foltz, or its successor and/or assigns, shall be in compliance with all County ordinances, the Uniform Statewide Building Code, and all state and Federal agency regulations.
3. The owner shall apply for and maintain a valid Page County Business License to operate the business.
4. Any lighting that is provided on the property will be directed downwards, so as not to produce a glare onto adjacent properties or right-of-ways.
5. Waste shall be properly disposed of in accordance with state and local requirements, runoff shall be contained on the property.
6. This special use permit may be revoked upon material noncompliance with the terms of the permit, or upon violation of any other relevant terms of the Zoning Ordinance or any other ordinances of the County of Page, Virginia. However, prior to the commencement of any action to revoke this permit, the County shall notify the permit holder in writing of the material in noncompliance or violation, and the permit holder shall have thirty (30) days thereafter to cure the material non-compliance or violation. The notice shall be deemed given when hand delivered to the permit holder or when mailed by certified mail, return receipt requested, to the permit holder.
7. Any change of use or expansion of services not included in this special use permit will require an additional, new, or modified special use permit as required by the Page County Zoning Ordinance at that time.

8. The Zoning Administrator or their designated representative may visit the site at any time to ensure compliance with the special use permit.

**Presentations, Proclamations and Awards:**

**People Incorporated Annual Report:**

Rob Goldsmith, President/CEO of People Incorporated, provided each Board member with a copy of the Annual Report. He said they served more people last year than ever before, in helping with rental assistance (28 people in Page County), business loans (1 in Page County) as well as personal loans. Two weeks ago, he said they broke ground on Luray Meadow located by the Airport, in Luray. It has 52 units, both 2 and 3 bedrooms, all for low-income families. This is 9 years in the making at a cost of \$12 million. Mr. Goldsmith said the Page County seat on their Board of Directors is vacant and he asked the Board to fill the seat.

**Update on Shenandoah National Park:**

Pat Kenney, Superintendent of Shenandoah National Park, said he has been with the park service for 30 years. He arrived at Shenandoah last October from Yellowstone National Park. He said while most businesses suffered during the pandemic, the Park had a record year. The Park was closed for 6 weeks, but still had 1.7 million visitors, with \$107 million in visitor spending. January and April of this year have already broke records from 10 years ago. Campsite demands are up, staffing levels are getting back to normal, and they are expecting another record year. Skyline Drive will have construction taking place, such as the terrace foundation repairs and infrastructure repairs. All of the funding for these projects will be coming from the Great America Outdoors Act, which is money received from oil and gas sales. He ended by saying he wants to establish a working relationship and keep the lines of communication going between the Park Service and the Board of Supervisors.

**Resolution Recognizing Linda Campbell:**

Mrs. Moler read the Resolution Recognizing Linda Campbell:

#2021-04  
Resolution  
Commending Linda Campbell

WHEREAS, Linda Campbell, born and raised in Page County, Virginia, was first elected to the Shenandoah Valley Soil & Water Conservation District (SVSWCD) as a District Director in 1986 representing Page County and served as Chair, Vice Chair, and Treasurer of the Board; and

WHEREAS, during her term on the SVSWCD Board she served on multiple Committees, including Personnel, Finance, and Nominating among others; and

WHEREAS, she served as the Virginia Association of Soil & Water Conservation Districts' (VASWCD) Area I Chair and Vice Chair, a regional representative ensuring the voice of Virginia's SWCDs were represented at the State Level; and

WHEREAS, Linda demonstrated her passion for conservation through service on the Virginia Soil & Water Conservation Board, appointed for multiple terms by three different Governors, and serving as Chair of the Virginia Soil & Water Board; and

WHEREAS, she received the Bobby Wilkinson Outstanding Director Award, the highest honor awarded by the Virginia Association of Soil & Water Conservation Districts, for significant contributions and service that furthered the effective implementation of the VASWCD's policies and programs; and

WHEREAS, Linda also dedicated her time to community conservation by serving on the Page County Water Quality Advisory Committee, Page County Grown, and Page County Farmers Association; and

WHEREAS, Linda Campbell, has provided exemplary public service to not only conservation initiatives, but she has portrayed a positive image of farming at Khimaira Farm, the farm she and her husband, Leith, have operated since 1978. Khimara Farm is certified Virginia Green and promotes conservation and sustainability; and

WHEREAS, Linda served as an unpaid volunteer SVSWCD Director and Past Vice President of the VASWCD, embraced the mission of Soil & Water Conservation Districts' by providing and promoting leadership in the conservation of natural resources.

NOW THEREFORE BE IT RESOLVED that the Page County Board of Supervisors commends and congratulates Linda Campbell on her exemplary service of thirty-five years, and her dedication to Virginia's Soil & Water Conservation Districts.

**Motion:** Supervisor Guzy moved that the Page County Board of Supervisors adopt Resolution #2012-04 Commending Linda Campbell. Supervisor Louderback seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Louderback. Nay: None.

**Resolution to Educate Residents and Medical Community on Risks of Traveling to China for Organ Transplants:**

Tiny Tang gave a brief presentation on the torture and killing of prisoners of conscience, primarily practitioners of Falun Gong, in China for the harvesting of organs for transplants.

#2021-05  
RESOLUTION  
PAGE COUNTY BOARD OF SUPERVISORS

TO EDUCATE PAGE COUNTY RESIDENTS AND THE MEDICAL COMMUNITY ON  
THE RISKS OF TRAVELING TO CHINA FOR ORGAN TRANSPLANT IN LIGHT OF  
RECENT REPORTS OF STATE-SPONSORED ORGAN HARVESTING FROM  
PRISONERS OF CONSCIENCE.

WHEREAS, extensive and credible reports have revealed mass killing of prisoners of conscience in the People's Republic of China, primarily practitioners of the Chinese spiritual practice of Falun Gong, but also other religious and ethnic minority groups, in order to obtain organs for transplants; and

WHEREAS, The China Tribunal, an independent tribunal sitting in London chaired by Sir Geoffrey Nice, who was a prosecutor at the international criminal tribunal for the former Yugoslavia, concluded on June 18, 2019, in a unanimous determination at the end of its year- long hearings, that the killing of detainees in China for organ transplants is continuing and victims include imprisoned followers of the Falun Gong movement; and

WHEREAS, the 2017 Freedom House report, "The Battle for China's Spirit," states that "available evidence suggests that forced extraction of organs from Falun Gong detainees for sale in transplant operations has occurred on a large scale and may be continuing"; and

WHEREAS, an investigative report published in June 2016 by human rights attorney David Matas, former Canadian Secretary of State for Asia-Pacific, David Kilgour, and journalist Ethan Gutmann, estimated that China is performing transplants at a rate amounting to "an industrial-scale, state-directed organ transplantation system, controlled through national policies and funding, and implicating both the military and civilian healthcare systems"; and

WHEREAS, Falun Gong, a spiritual practice involving meditative "qigong" exercises and centered on the values of truthfulness, compassion, and forbearance, became immensely popular in China in the late 1990s with multiple estimates placing the number of practitioners at upwards of seventy million (70,000,000); and

WHEREAS, in July 1999, the Chinese Communist Party launched an intensive, nationwide persecution designed to eradicate the spiritual practice of Falun Gong. Hundreds of thousands of Falun Gong practitioners have been detained extralegally in Chinese reeducation- through-labor camps, detention centers, and prisons, where physical and mental torture is common.

WHEREAS, in June 2016, the United States House of Representatives unanimously passed House Resolution 343, condemning the systemic, state-sanctioned organ harvesting from practitioners of Falun Gong and other prisoners of conscience; and

WHEREAS, there has been little media coverage of this problem yet dozens of Page County citizens petitioned the Page County Board of Supervisors to take up this matter, and

WHEREAS, Page County residents should be fully informed of the organ source in China before they make the decision to engage in organ transplant tourism in China and the Page County Board of Supervisors should assist in raising awareness in this regard;

NOW THEREFORE, BE IT RESOLVED BY the Page County Board of Supervisors, that we condemn, in the strongest possible terms, the persecution of Falun Gong and the state-sponsored organ harvesting of all prisoners of conscience currently being carried out by the Chinese Communist regime; and

BE IT FURTHER RESOLVED that we urge the United States government, to thoroughly investigate organ transplant practices in China and take all reasonable steps to end the practice of nonconsensual organ harvesting from Falun Gong practitioners; and

BE IT FURTHER RESOLVED that the residents and the medical community servicing Page County and the immediate region be informed about the risks of travel to China for organ transplants to help prevent local citizens from becoming accomplices in state-sponsored forced organ harvesting from prisoners of conscience; and

BE IT FURTHER RESOLVED those copies of this resolution be provided to the Governor of Virginia, Virginia's General Assembly, Virginia's congressional delegation and two U.S. Senators, and the Virginia Department of Health.

**Motion:** Supervisor Stroupe moved to adopt Resolution #2021-05, as read. Supervisor Vaughan seconded and the motion carried by a vote of 5-0, with 1 abstention. Aye: Foltz, Vaughan, Phenix, Louderback, Stroupe. Nay: None. Abstain: Guzy.

**Public Comments on Agenda Items:**

Ken Farkus read from the Comprehensive Plan, Volume 1, Section 1-9 Vision: Page County is a community we can be proud of, home to valuable farmland, world-renowned natural features, communities with character, a vibrant economy and equitable government. Planning for the future will help achieve what we value: Protected agricultural lands, a pristine environment, livable, attractive communities the preservation of open space, quality infrastructure and services, an accessible transportation network, protection of individual rights and an enduring inviting, rural character. He said he would add "ethical decisions that stand the test of time". He asked them not to purchase solar panels from China made with slave labor.

Beth Snyder thanked the women for the presentation about harvesting organs from China and the Board for passing the resolution. She asked the Board to consider another resolution to ban any purchases from China using slave labor.

Rod Graves asked the Board to adopt a resolution honoring Gary Bauserman, local farmer and good citizen. He listed his many achievements as well as what he gave to the community.

**Action Matters:**

**Budget Changes:**

Tyler Olsen, Budget Officer, presented the budget changes. He said the Economic Development and Tourism Department has received State funds in the amount of \$54,932. These funds are associated with the DuPont Grant, and they will be used to revitalize the Alma Bridge boat landing area. The Page County Sheriff's Office has been awarded the Drug Court Grant from the Department of Justice. This Federal grant will reimburse certain costs associated with the development and implementation of the County's Drug Court program up to a maximum of \$500,000. These Federal funds will be received and spent over a three-year period. Up to \$20,000 of this total amount is expected to be received in FY 2021. It is requested that \$20,000 be appropriated for expenses related to the Drug Court. The current appropriation requests will increase the County's General Fund budget by \$74,932.

**Supplemental Appropriations Requests:**

Department	Description	Revenue Source	Expenditure	Amount
Economic Development	Alma Bridge Project	DuPont Grant 101-0000-324-04-13	DuPont Grant 101-8150-481-59-44	\$54,932
PCSO	Drug Court Grant	Drug Court Grant 101-0000-333-01-19	Drug Court 101-3120-431-59-28	20,000
Total Requests				\$74,932

**Motion:** Supervisor Guzy moved to approve revenue from the State in the amount of \$54,932 and from the Federal government in the amount of \$20,000, and expenditures to the Page County General Fund in the amount of \$74,932. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Louderback, Stroupe, Foltz. Nay: None.

**Tourism Advisory Council Bylaws & Appointments:**

Mrs. Moler reviewed the bylaws for the Tourism Advisory Council and asked the Board to approve them and appoint the Council members.

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

Appointments for the Tourism Advisory Council were as follows:



District 1 – Seretha Judy  
District 2 – Karen Riddle  
District 3 – Randy Howan  
District 4 – Bart Price  
District 5 – Charles Jenkins  
At-Large – J.D. Cave

**Motion:** Supervisor Guzy moved to appoint Seretha Judy, Karen Riddle, Randy Howan, Bart Price, Charles Jenkins and J.D. Cave to the Tourism Advisory Council. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Guzy, Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

**Board and Commission Appointments:**

Regina Miller, Assistant County Administrator, reviewed the board and commission appointments.

**Board of Zoning Appeals:**

A vacancy exists on the Board of Zoning Appeals for District 1. Supervisor Guzy has nominated Linzy Cumbia to fill the vacancy. If appointed, his term would expire November 8, 2025. The Board will need to recommend the appointee to the Circuit Court Judge who will make the official appointment.

**Motion:** Supervisor Guzy moved to recommend Linzy Cumbia, for appointment to the Board of Zoning Appeals, as the District 1 representative, for a term that will expire on November 8, 2025. Supervisor Louderback seconded and the motion carried by a vote of 5-0-1. Aye: Louderback, Foltz, Vaughan, Phenix, Guzy, Nay: None: Abstain: Stroupe.

**Lord Fairfax Community College Board:**

The term of Paul Johnson will expire June 30, 2021. He is eligible for reappointment to his first four- year term beginning July 1, 2021 and expiring June 30, 2025. He is willing to serve another term and the College would like to have him reappointed.

**Motion:** Supervisor Vaughan moved to reappoint Paul Johnson to the Lord Fairfax Community College Board for a term beginning July 1, 2021 and expiring on June 30, 2025. Supervisor Foltz 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 May 1-31, 2021;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$2,009,262.29 for the month of May 2021;

➤ Minutes May 4, 2021 and May 18, 2021.

Supervisor Vaughan 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 Potential Use for the American Rescue Plan Act:**

Mrs. Moler informed the Board that the County will be receiving \$2,338,498.50 this year and the same amount one year later from the American Rescue Plan Act. The County has until December 2026 to spend the money. She said it can be spent on plumbing, HVAC, bonus or additional pay for staff that have worked through the COVID pandemic as well as other items. She presented the list of requests:

	\$2,338,498.50
2 Drug Interdiction Positions	-128,000
Jail Plumbing	-65,000
Jail HVAC	-120,000
Solid Waste/Maintenance	-60,000
Shen. Compactor	-32,000
2 cardboard containers	-14,000
2 20yd recycling boxes	-14,500
4500-gal roll-off tank	-32,000
Court House HVAC	-30,000
24/7 EMS Stanley	-214,420
Ambulance	-250,000
911 Dispatcher	-52,096
Hazard pay FT	-490,000
Hazard pay PT	-70,000
Landfill compactor	-700,000
EDA business incentives	-100,000
	<hr/>
	-33,517.50

Mrs. Moler explained each request and said the Board has time to review and decide how to spend the funding; however, she would like an answer soon on the 2 Drug Interdiction Officers, the Solid Waste/Maintenance position, 24/7 EMS coverage for Stanley and the 911 Dispatcher. She also pointed out the letters from Department Heads requesting hazard pay for staff that worked through the pandemic. She also noted that Masonite needs assistance with water and sewer expansion to their facility and this could be a use of the funds. This expansion would provide up to 100 new jobs for the County. She also suggested setting money aside for the Broadband project.

**Motion:** Supervisor Vaughan moved to approve the appropriation of the American Rescue Plan Act to fund 2 drug interdiction officers at \$128,000, a Solid Waste/Maintenance position at \$60,000, 24/7 EMS coverage in Stanley at \$214,420, and a 911 Dispatcher position at \$52,096, for a total of \$454,516. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Louderback, Stroupe, Foltz. Nay: None.

(Clerks note: Supervisor Guzy left the meeting at 9:03 p.m.)

**Open Public Comments:**

Ken Farkus challenged the Board to adopt another resolution to prohibit the purchase of any large-scale products or services from China that has been produced with slave labor. If you pass the solar farm resolution you are looking at 700-900 thousand solar panels, built by slave labor in China.

**Administrator's Report:**

Mrs. Moler informed the Board know that both Compactor sites will be closed Wednesday and Thursday this week and Wednesday of next week due to lack of staffing. She stated that Friday, June 18<sup>th</sup> is the Juneteenth holiday and County Offices will be closed. She said she will be out of the office June 16 and 17 to attend the VLGMA Conference. The Alma boat landing's picnic tables and grills should be in this week and Jeff Blevins will be placing big boulders from the landfill at the boat landing as barriers where the new grass was planted. The Bridge dedication for Emmett Arthur Dougans will be held on August 5, 2021, at 2 p.m, at the bridge. The Stanley Homecoming Parade is scheduled for July 3, and if anyone is interested in riding please let her know.

**Supervisors Time:**

Supervisor Vaughan thanked the Falun Gong ladies for coming and giving a presentation.

Chairman Phenix thanked the ladies also and said the resolution was a step in the right direction.

Supervisor Louderback said it was nice to see people's faces again and thanked everyone for coming.

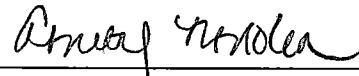
Supervisor Foltz thanked everyone for coming.

Supervisor Stroupe said the new stage will be ready this year for the Stanley Homecoming. He encouraged everyone to support the Homecoming. He thanked everyone for attending the meeting.

**Adjourn:** 9:17 p.m.

With no further business, Chairman Phenix adjourned the meeting.

  
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Morgan Phenix, Chairman At-Large

  
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Amity Moler, County Administrator