

Minutes  
Board of Supervisors  
Regular Meeting  
May 15, 2018

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 Vaughn, 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 Phenix called to order the regular meeting of the Page County Board of Supervisors on May 15, 2018, 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 Invocation given by Paul Johnson, and the *Pledge of Allegiance*.

**Adoption of the Agenda:**

**Motion:** Supervisor Guzy moved to adopt the agenda. Supervisor Wiatrowski seconded and the motion carried by a vote of 6.0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

**Public Hearings:**

**Special Use Permit – Jeremy Baldwin:**

Chairman Phenix opened the public hearing on the special use permit for Jeremy Baldwin at 7:01 p.m. The public hearing was advertised as follows:

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NOTICE OF PUBLIC HEARING  
PAGE COUNTY BOARD OF SUPERVISORS  
SPECIAL USE PERMIT REQUEST

NOTICE is hereby given pursuant to Section 15.2-2204 of the Code of Virginia, as amended that the PAGE COUNTY BOARD OF SUPERVISORS shall hold a public hearing at 7:00 p.m. on May 15, 2018, in the Board of Supervisors Meeting Room, located in the County Government Center, 103 South Court Street, 2<sup>nd</sup> Floor, Luray, VA, to receive public comments and to consider the following request:

Jeremy Baldwin has filed an application for a special use permit to operate a river outfitter business located at 741 Carvell Road, Rileyville, VA, 22650. The parcels are identified by tax map #4-A-21 (130.05 acres) and 4-A-21A (37.09 acres). Both properties are zoned as Woodland-Conservation (W-C), and currently used as a campground. Pursuant to 125-9.D. (2) of the Page County zoning Ordinance, commercial outdoor recreation facilities require a special use permit.

Copies of the request and the Zoning Ordinance may be viewed in the Planning & Community Development Office, 103 South Court Street, Suite B, Luray, VA, 8 a.m. – 4 p.m., Monday through Friday.

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Tracy Clatterbuck, Zoning Administrator, said that Jeremy Baldwin has filed an application for a Special Use Permit (SUP) to operate a river outfitter business located at 741 Carvell Road, Rileyville, VA. This property is currently used for a commercial campground and farming. Mr. Baldwin currently has a SUP that was granted in 2014 to operate River Run Campground, which consists of 45 campsites. The proposed new business would have a separate SUP. The proposed business plans to offer the rental service of tubes, canoes, and kayaks. All rental equipment will be stored inside an existing building located near the check-in station. The Page County Health Department, Page County Building Department and the Virginia Department of Transportation have no objections. The Page County Planning Commission unanimously recommended approval and so does staff.

Public Comments:

With no speakers, Chairman Phenix closed the hearing at 7:04 p.m.

**Motion:** Supervisor Stroupe moved that the Page County Board of Supervisors approve Mr. Baldwin's special use permit with the attached proposed conditions. Supervisor Guzy seconded and the motion passed by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

\* \* \* \* \*

Special Use Permit

Applicant: Jeremy Baldwin

Tax Map I 4-(A)-21 & 4-(A)-21A

River Outfitter business at River Run Campground

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. The business shall be in compliance with all County and State agency regulations.
3. The business shall apply for and maintain a valid Page County Business License.
4. Any change of use or expansion of the business specifically related to additional services offered will require a new special use permit.
5. This special use permit may be revoked upon material non-compliance with the terms of the permit, or upon violation of any other relevant terms of the Zoning Ordinance of the County of Page, Virginia.
6. The Zoning Administrator or their designated representative may visit the site at any time to ensure compliance with the special use permit conditions.

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**Enterprise Zone Amendment:**

Chairman Phenix opened the public hearing on the Enterprise Zone Amendment at 7:06 p.m. The public hearing was advertised as follows:

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ENTERPRISE ZONE APPLICATION  
FOR AMENDMENT  
PUBLIC HEARING NOTICE  
BOARD OF SUPERVISORS  
COUNTY OF PAGE, VIRGINIA

Please take notice that the Page County Board of Supervisors shall hold a public hearing at 7:00 p.m., on Tuesday, May 15, 2018, in the Board Room, located in the County Government Center, 2<sup>nd</sup> Floor, 103 South Court Street, Luray, VA, to solicit input on the proposed amendment of the Page County Enterprise Zone for submission to the Department of Housing and Community Development. The proposed zone boundary maps are available for inspection on the County website at [www.pagecounty.virginia.gov](http://www.pagecounty.virginia.gov) or in the Department of Planning & Community Development, 103 South Court Street, Suite B, Luray, VA., between the hours of 8 a.m. to 4 p.m., Monday through Friday.

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Liz Lewis, Economic Development/Tourism Coordinator, gave the Board a briefing of the proposed amendment to the Page County Enterprise Zone. Mrs. Lewis said staff is proposing several parcels be added increasing the Zone's footprint to 2,427.26 acres. This decision was made after future development discussions with potential businesses, each Town, the GIS Department and DHCD. Mrs. Lewis said staff recommends approval of the proposed boundary amendment.

Public Comments:

With no public speakers, Chairman Phenix closed the hearing at 7:07 p.m.

**Motion:** Supervisor Vaughan moved to adopt the Resolution authorizing the submission of an application for amendment to DHCD for the Page County Enterprise Zone. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

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#2018-05

Page County Board of Supervisors

RESOLUTION

Enterprise Zone Application of Amendment

VIRGINIA: At a regular meeting of the Board of Supervisors of Page County, Virginia, held on Tuesday, May 15<sup>th</sup>, 2018, the following resolution was presented and adopted:

WHEREAS, Page County has a designated Enterprise Zone, identified as Virginia Enterprise Zone #30, that provides a combination of State and Local incentives to promote economic development, and

WHEREAS, there is a current need to amend the existing Enterprise Zone #30 in Page County to incorporate additional properties in and around the Towns of Luray, Stanley, and Shenandoah to increase economic growth opportunities, and

WHEREAS, this proposed expansion will serve to benefit economic and industrial expansion of Page County to meet the goals and objectives of the Virginia Enterprise Zone Program.

THEREFORE, BE IT HEREBY RESOLVED that the Page County Board of Supervisors authorizes the County Administrator to submit the necessary Enterprise Zone amendment package and sign all necessary documentation of behalf of Page County for this proposed Enterprise Zone amendment, and to meet other program administrative and reporting requirements, as defined by the Enterprise Zone Regulations throughout the life of the zone.

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**Presentations, Proclamations & Awards:**

**Resolution for Bridge Naming:**

Mrs. Moler read the Resolution for naming the bridge along U. S. Highway 340 over Compton Creek as the "USMC Sgt. Richard T. Brumback Memorial Bridge".

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#2018-06

RESOLUTION FOR BRIDGE NAMING

Naming the bridge along US Highway 340 over Compton Creek, lying one half mile north of the intersection of US Highway 340 and Island Ford Road the "USMC Sgt. Richard T. Brumback Memorial Bridge"

WHEREAS, Richard T. Brumback of Rileyville, Virginia was born on February 7, 1918 and was raised on a farm, where he learned to fish, swim, target shoot, and hunt at an early age; and

WHEREAS, Richard T. Brumback was accepted for enlistment in the United States Marine Corps on September 20, 1940, and rose to the rank of Platoon Sergeant; and

WHEREAS, Sgt. Brumback was killed in action on the island of Bougainville by a Japanese sniper, while scouting a position for his platoon's 40-millimeter guns, on the first day of the Marine's invasion of Bougainville; and

WHEREAS, Sgt. Brumback died at the age of 25 in defense of his country on November 1, 1943 in the line of duty; and

WHEREAS, this Board wishes to memorialize the life and sacrifice of Sgt. Brumback.

NOW, THEREFORE, BE IT RESOLVED, that the Page County Board of Supervisors does hereby request that the Commonwealth Transportation Board name the Bridge along US Highway 340 Compton Creek, lying one-half mile north of the intersection of US Highway 340 and Island Ford Road as the "USMC Sgt. Richard T. Brumback Memorial Bridge" in memorial of Sgt. Brumback.

BE IT FURTHER RESOLVED, that the County of Page will assume all the costs for the fabrication and installation of signs for this naming.

This Resolution was adopted by the Page County Board of Supervisors on this 15<sup>th</sup> day of May, 2018.

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**Motion:** Supervisor Guzy moved to adopt the Resolution for Bridge Naming as presented. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Wiatrowski. Nay: None.

Chairman Phenix presented a copy of the Resolution to Teresa Brumback, niece of Sgt. Brumback.

Teresa Brumback thanked the Board, Todd Gilbert legislative director Jeff Walters and Congressman Goodlatte who were instrumental in helping obtain her uncle's file. Mrs. Brumback gave the Board handouts with extended remarks and more about his life. She said she looks at the bridge as a link between the past, present, and future of all the service people that have served from Page County.

**Public Comments on Agenda Items:**

Ikey Parks expressed concern over the reduction in revenue for the rescue squads from the County. He said that the Shenandoah Rescue Squad will be selling two of its four ambulances, in order to stay in business. He said he realizes the County's financial position, but would like for the Board to postpone adopting the budget until all of the rescue squads and the Board can sit down together and come up with a solution.

Chad Gregg represented the Luray Volunteer Rescue Squad and said he felt that the reduction in funds to the rescue squads was not discussed enough prior to the Boards decision. He said further meetings with the Board members will help them come up with solutions, not only for monetary decisions, but coverage as well.

**Action Matters:**

**Adoption of the FY 2018-2019 Budget:**

RESOLUTION  
ADOPTING THE FY 2018-2019 BUDGET  
AND APPROPRIATE FUNDS

WHEREAS, it is the responsibility of the Page County Board of Supervisors to approve and control the County's fiscal plan for FY 2019; and

WHEREAS, the Board of Supervisors has reviewed each request for funding and has received comments from residents at a duly advertised public hearing.

NOW, THEREFORE BE IT RESOLVED, that the Page County Board of Supervisors hereby adopts the Fiscal Year 2018-2019 budget totaling \$65,433,662

**Revenues of All Funds:**

General Fund	\$18,688,291
VPA	2,669,300
Comprehensive Services	2,551,531
Capital Projects	203,630
School Operating	39,041,779

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School Cafeteria	1,816,426
School Contingency	255,018
Parks & Recreation	25,000
VJCCCA	30,076
CVWP	76,748
Page County Water Quality	2,500
Airport Hangar	91,000
<b>Total Revenue of All Funds</b>	<b>\$65,433,662</b>

**Expenditures of All Funds:**

Board of Supervisors	\$130,579
County Administrator	328,346
Finance Department	310,329
Legal Services	119,500
Commissioner of Revenue	506,378
Assessment	240,000
Geographical Information Systems	132,229
Treasurer	523,227
Information Services	209,000
Central Purchasing	48,904
Electoral Board	50,453
General Registrar	108,401
Circuit Court Judge	9,250
General District Court	8,650
J & D court	16,050
Clerk of the Circuit Court	452,154
Sheriff-Bailiffs	202,294
Magistrates	2,300
Commonwealth Attorney	576,645
Sheriff	1,934,577
Investigations	944,101
Crime Prevention	492,767
E911	845,298
Volunteer Fire Departments & Rescue Squads	496,625
EMS Career Staff	1,085,135
Jail	2,869,047
Care of Juveniles	202,873
Animal Shelter	228,685
Animal Law Enforcement	154,100
Medical Examiner	500
Concern Hotline	1,000
Lord Fairfax Emergency Medical Services	10,701
Compactor Sites	78,405

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Stanley Landfill	227,600
Battle Creek Landfill	1,271,360
General Properties	376,636
Local Health Department	276,028
Northwestern Community Services Board	86,227
CHOICES	5,000
Public Assistance	28,725
Social Services Board	4,522
Shenandoah Area Agency on Aging	65,000
L.F. Community College	12,059
Recreation-Athletic	85,836
Regional Library	197,011
Stanley Library	40,000
Planning Commission	14,061
Planning/Comm. Development	312,548
Northern Shenandoah Valley Regional Commission	20,878
Zoning Board	3,909
Economic Development	235,968
Airport commission	42,000
Chamber of Commerce	275,000
Virginia Cooperative Extension	94,756
4-H	1,500
Employee Benefits	198,048
Reserve for Contingencies	100,000
Debt Service	1,375,116
Social Services	2,669,300
Children's Services Act	2,551,531
Capital Improvements	203,630
School Operating	39,041,779
School Food Services	1,816,426
School Contingency	255,018
Recreation/Enterprise Fund	25,000
Wilderness Program (VJCCCA)	30,076
Criminal Victim/Witness Assistance	79,111
Page County Water Quality	2,500
Airport Hangars	91,000
<b>Total Expenditures of All Funds</b>	<b>\$65,433,662</b>

BE IT FURTHER RESOLVED, that the Page County Board of Supervisors hereby appropriates a Social Services Operating Budget of \$2,669,300 for Fiscal Year July 1, 2018 through June 30, 2019 and that the local tax supported expenditure of funds shall not exceed \$464,328.



BE IT FURTHER RESOLVED, that the Page County Board of Supervisors hereby appropriates a Children's Services Act Budget of \$2,551,531 for Fiscal Year July 1, 2018 through June 30, 2019 and that the local tax supported expenditure of funds shall not exceed \$765,460.

This Resolution was adopted by the Page County Board of Supervisors this 15<sup>th</sup> day of May, 2018.

**Motion:** Supervisor Vaughan moved to adopt the FY2018-2019 County Budget, as presented. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Wiatrowski, Stroupe. Nay: None.

RESOLUTION TO ADOPT THE FY2018-2019  
PAGE COUNTY SCHOOL BUDGET

WHEREAS, the School Board and the Board of Supervisors have held separate duly advertised public hearings; and

WHEREAS, the Board of Supervisors has received a presentation from the School Board; and

WHEREAS, the Board of Supervisors has received comments from staff and citizens and weighed the needs of the school system with the need to provide support for all County services.

NOW, THEREFORE BE IT RESOLVED that the Page County Board of Supervisors hereby adopts a School Operating budget of \$39,041,779 for Fiscal Year July 1, 2018 through June 30, 2019 and that the local tax-supported expenditure of funds shall not exceed \$13,968,888.

BE IT FURTHER RESOLVED, that the Page County Board of Supervisors also appropriates School Food Services in the amount of \$1,816,426 to the School Board for Fiscal Year July 1, 2018 through June 30, 2019.

This Resolution was adopted by the Page County Board of Supervisors this 15<sup>th</sup> day of May, 2018.

**Motion:** Supervisor Guzy moved to adopt the FY2018-2019 School Budget, as presented. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Wiatrowski, Stroupe, Foltz. Nay: None.

**Budget Changes:**

Dennis Click, Director of Finance, said the Page County School Board has requested \$31,651 in additional appropriations for federal funding and other grant funding. The Page County Sheriff's Department requested \$2,500 in additional appropriations for state funding. The total fiscal impact is an increase to the county budget of \$34,151. No local match is required, staff recommends appropriation of all federal, state, and other grant funding.

<u>Department</u>	<u>Description</u>	<u>Revenue Source</u>	<u>Expenditure</u>	<u>Amount</u>
PCPS	School Breakfast Grant	Share our Strength	School Food Service	\$6,621.00
PCPS	NSLP Equipment Assistance	NSLP Equipment Assistance	School Food Service	\$25,030.00
Sheriff	TRIAD Grant	Virginia Attorney General	TRIAD Grant 101-3130-431.59-02	\$2,500.00
Total				\$34,151.00

**Motion:** Supervisor Guzy moved to approve the appropriation of federal, state, and other grant funding in the amount of \$34,151. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

**Special Entertainment Permit – Cooters:**

Liz Lewis, Economic Development/Tourism Coordinator, explained that Cooter's in Luray has requested a special entertainment permit, pursuant to Chapter 55 (Festivals), of the Code of Page County, to conduct the following events: Car Show on June 16<sup>th</sup> and October 20<sup>th</sup>, 2018 from 8am -3pm; and, Cruise-In every second Saturday of each month from May-November 2018 from 4-8pm. The events will be held at their place of business located at 4768 US Highway 211 West, Luray. These events will hopefully increase the County revenue for sales and meals and lodging tax.

Supervisor Vaughan asked if they only planned on selling 75 tickets, as the application stated. Mrs. Lewis said she believes that is the number of vehicles signed up for the Cruise-In, but she would double check with Mrs. Viator and get back with him. Supervisor Vaughan said that in the future that number should reflect patrons attending.

**Motion:** Supervisor Foltz moved that Page Count Board of Supervisors approve the application for issuance of a Special Entertainment Permit to Cooter's of Luray for their 2018 Car Show and Cruise-In events. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

**Consent Agenda:**

**Motion:** Supervisor Guzy moved to approve the Consent Agenda as follows:

- Financial reports for the period of April 1-30, 2018;

- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,378,131.56 for the month of April 2018;
- Minutes of April 3, 2018, April 5, 2018, April 12, 2018, and April 17, 2018.

Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

**Old Business:**

Supervisor Vaughan asked if any progress has been made with Rockingham County using our landfill. Mrs. Moler said she had been in contact with them and the person she has been speaking with will be leaving, so she hopes the new contact person will make things move faster.

**New Business:**

**Zoning Ordinance Amendment – Violations and Penalties:**

Tracy Clatterbuck, Zoning Administrator, proposed an amendment to bring the violations and penalties portion of the zoning ordinance up-to-date, in accordance with the Virginia Code. Ms. Clatterbuck said that staff was notified by the County Attorney that our current zoning ordinance, specifically Section 125-63 (Violations and Penalties), needs to be amended because it is not consistent with the Virginia Code. It is also recommended by legal counsel that the County consider adopting civil penalties for zoning violations. The advantage of adopting civil penalties is that the county would not need to incur additional legal fees to pursue the matter in court, unless there is personal injury or the fees are greater than \$5,000. By adopting civil penalties, this will reduce the legal expenses for the County. Another benefit to adopting civil penalties is that the penalties would be paid to Page County. When pursued criminally through General District Court, the penalty fees enforced by the judge are retained by the court. When the County has to pursue someone criminally, not only are we not retaining any of those fees assessed by the court, but it is costing the county in legal expenses. The Planning Commission held a public hearing on April 24, 2018. There were no comments from the public regarding this proposed amendment. The Commission voted 7-1 recommending approval to the Board of Supervisors. The proposed amendments have been reviewed and approved by legal counsel for adoption. She recommended scheduling a public hearing.

**Motion:** Supervisor Guzy moved that the Page County Board of Supervisors hold a public hearing on this ordinance amendment at the June 5, 2018 work session, and direct staff to provide adequate notice of such hearing, in accordance with the Code of Virginia Section 15.2-2204. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Wiatrowski. Nay: None.

**Zoning Ordinance Amendment – Agriculture:**

Tracy Clatterbuck, Zoning Administrator, said she was notified by the County Attorney that our current zoning ordinance, specifically Section 125-10 (Agriculture), needs to be amended, because it is not consistent with the Virginia Code. Currently under Section

125-10 (Agriculture) of the Page County Zoning Ordinance, farmers markets, greenhouses, breweries, and wineries are only permitted by special use permit in the Agriculture zoning district. An amendment to Section 125-10 (Agriculture) will allow farmers markets, greenhouse retail sales, breweries, and wineries to be permitted by-right rather than by special use permit. The proposed amendments have been reviewed and approved by legal counsel for adoption. The Planning Commission held a public hearing on April 24, 2018. There were no comments from the public regarding this proposed amendment. The Commission unanimously made recommendation of approval to the Board of Supervisors. Staff recommends scheduling a public hearing.

**Motion:** Supervisor Guzy moved that the Page County Board of Supervisors hold a public hearing on this ordinance amendment at the June 5, 2018 work session, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia Section 15.2-2204. Supervisor Vaughan seconded and the motion carried by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Wiatrowski, Stroupe. Nay: None.

**Open Public Comments:**

County Attorney Miller introduced Caleb Routhier, an attorney with his firm, who was in the audience observing his first Board of Supervisors meeting.

**Administrator's Report:**

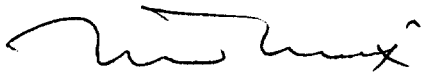
Mrs. Moler asked the Board if they wanted to add the TOT funding distribution to the June 5, 2018 agenda and the Board agreed. She also informed the Board that the Commissioner of the Revenue had made an error in figuring the PPTRA percentage rate. The correct rate is 27.5% not the 35.5% adopted by the Board. The repairs on the parking lot retaining wall at the Government Center should start by end of the month. She said she meet with VDOT regarding the smart scale application for a stop light at the Food Lion intersection, in Luray. Lastly, she said she is submitting two applications for the VACO Achievement Awards.

**Supervisors Time:**

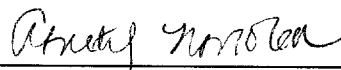
All Supervisors thanked everyone for attending the meeting.

**Adjourn:** 8:07 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator