TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, September 09, 2025 at 9:00 AM

AGENDA

Possible additions to the agenda and related materials are not set forth herein.

Times set forth are approximate and may be adjusted as necessary.

I. WORKSESSION - 9:00 AM

A. Closed Session

B. Taylor Middle School Update

C. Flock Cameras and VSP H.E.A.T. Grant

D. Emergency Management Agency Designation, COOP, & Updates

E. Emergency Management Appointment Confirmations

F. Police Department Overview

G. IT Department Overview

H. Planning Commission August 19, 2025 Regular Meeting Update

I. VDOT SGR FUNDS (Broadview Avenue)

J. Agenda Review

II. REGULAR MEETING - 6:30 PM

A. INVOCATION.

B. PLEDGE OF ALLEGIANCE.

C. PROCLAMATIONS AND RECOGNITIONS.

D. CITIZEN'S TIME.

E. APPROVAL OF THE AGENDA.

F. PUBLIC HEARINGS.

a. Ville Nova Subdivision Temporary Construction Easement

G. CONSENT AGENDA.

a. Town Council Meeting Minutes Approval

b. Confirmation of the Appointment of the Director and Coordinator of Emergency Management to the Warrenton Emergency Management Agency

c. VDOT SGR FUNDS (Broadview Avenue)

H. NEW BUSINESS.

I. UNFINISHED BUSINESS.

J. TOWN ATTORNEY'S REPORT.

K. TOWN MANAGER'S REPORT.

L. COUNCILMEMBERS TIME.

M. ADJOURNMENT.

Motion for Convening a Closed Session

Council Meeting Date: September 9th, 2025.

I move that the Council convene in closed session to discuss the following:

____ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:
____ Discussion, consideration or interviews of prospective candidates for employment or appointment; OR
____ assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town;
specifically dealing with _____ *[Give department, job title(s), or job category].*

____ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving:
____ discussion or consideration of the acquisition of real property for a public purpose; OR
____ disposition of publicly held real property
specifically involving _____ *[Give location of property]*, because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.

____ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.

__X__ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:
__x__ the pending case of _ **Citizens for Fauquier County v. the Town regarding exemptions under the Virginia Freedom of Information Act _& the matter** of **CHARLES AND MARYGAY CROSS, ET. AL., PLAINTIFFS-PETITIONERS VS. THE TOWN COUNCIL OF THE TOWN OF WARRENTON AND THE TOWN OF WARRENTON, DEFENDANTS**
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.

__x__ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to ***The Town of Warrenton Commission on Open and Transparent Government & Taylor Middle School Contracts and Bonds.***

____ As permitted by Virginia Code § 2.2-371 l (A)(29), discussion of the award of a public contract for _____ *[Give nature of the contract]* involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.

____ As permitted by Virginia Code § _____, a matter involving:
_____.

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:
Ayes:
Nays:
Absent from Vote: None

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes:
Ayes:
Nays:
Absent from Vote: None

For Information:
Town Clerk

Effective date:

Stephen Clough, Town Recorder
_____.

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9th, 2025
Agenda Title:	Taylor Middle School Update
Requested Action:	Receive the information.
Department / Agency Lead:	Town Council
Staff Lead:	Frank Cassidy, Town Manager, Chap Petersen, Town Attorney

EXECUTIVE SUMMARY

Councilwoman O'Halloran and additional Members of Council have requested an update on the Taylor Middle School Project.

BACKGROUND

Please see the attached.

STAFF RECOMMENDATION

Receive the information

Service Level/Collaborative Impact

N/A

Policy Direction/Warrenton Plan 2040

N/A

Fiscal Impact

Undetermined at this time.

Legal Impact

Mr. Chap Petersen, Town Attorney, is available to provide legal guidance and information.

ATTACHMENTS

1.
2.
3.

From: Amber Heflin
To: Darrell Caison; Douglas Cofer; Rhodes, Dena; Graham, David; Johnston, Joshua; Luke Fetcho; Edwards, Thomas; Evan Newman
Cc: Heather Jenkins; Rob Walton; Frank Cassidy
Subject: RE: Taylor MS (SDP-24-7) - Signature Set Notification
Date: Tuesday, October 1, 2024 12:47:00 PM
Attachments: FINAL- SDP-24-7-Conditions of Approval Taylor Middle.pdf

Good afternoon,

The signature sets have been approved and are ready for pick-up at the Community Development front counter located on the first floor of Town Hall (21 Main Street).

Please let me know if you have any questions or concerns. I have also attached the conditions of approval that are attached to each copy of the site plan.

Thank you,

Amber N. Heflin, CZA, COSS
Zoning Official
Community Development Department

21 Main Street
Warrenton, VA 20186
(540) 347-1101 x142
warrentonva.gov

See the progress on the Town's Zoning Ordinance update here:
https://www.warrentonzoningordinanceupdate.com/

From: Darrell Caison <Darrell.Caison@timmons.com>
Sent: Friday, September 20, 2024 1:26 PM
To: Heather Jenkins <hjenkins@warrentonva.gov>
Cc: Douglas Cofer <dcofer@rrmm.com>; Rhodes, Dena <drhodes@FCPS1.ORG>; Graham, David <dgraham@FCPS1.ORG>; Johnston, Joshua <Joshua.Johnston@FCPS1.ORG>; Luke Fetcho <Luke.Fetcho@timmons.com>; Amber Heflin <aheflin@warrentonva.gov>; Edwards, Thomas <tedwards@fcps1.org>; Evan Newman <Evan.Newman@timmons.com>
Subject: RE: Taylor MS (SDP-24-7) - Signature Set Notification

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon Heather,

We are submitting the signature sets today - five (5) signed/sealed paper copies of the site plan. As in the past, due to the size of the set (84 sheets in each set), one set will be folded and four rolled. Also, along with the site plan, the consolidated comment response letter and signed/sealed paper copies of the bond estimate will be provided, with a flash drive containing PDF of all documents. These should be to your office in the 3 o'clock hour this afternoon.

As noted, we are providing the PDF version of the files via a flash drive with the submission, but for others cc'd on this email as applicable - Please find a PDF copy of the site plan, the bond estimate, and comment response letter in a .zip file at the following link: https://www.sendthisfile.com/l09rLOZxkKZ1k5wbEqjjErhV

Your notes below regarding the SWM maintenance agreement; the easement/ROW reservations; performance bond; and SWM & land disturbance permits are noted.

Please let us know if you have any questions.

Thank you,

Darrell Caison, PE
Project Manager

TIMMONS GROUP | www.timmons.com
20110 Ashbrook Place, Suite 100 | Ashburn, VA 20147
Office: 571.707.2105 | Fax: 703.726.1345
Mobile: 703-554-4812 | darrell.caison@timmons.com
Your Vision Achieved Through Ours
A **Washington Business Journal** *Top Engineering Firm*

From: Heather Jenkins <hjenkins@warrentonva.gov>
Sent: Thursday, September 19, 2024 8:25 AM
To: Darrell Caison <Darrell.Caison@timmons.com>
Cc: Douglas Cofer <dcofer@rrmm.com>; Rhodes, Dena <drhodes@FCPS1.ORG>; Graham, David <dgraham@FCPS1.ORG>; Johnston, Joshua <Joshua.Johnston@FCPS1.ORG>; Luke Fetcho <Luke.Fetcho@timmons.com>; Amber Heflin <aheflin@warrentonva.gov>
Subject: Taylor MS (SDP-24-7) - Signature Set Notification

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,
At this time all comments have been addressed. Please submit signature sets of the site plan for approval, to include a minimum of five (5) sets of the site plan, signed and sealed, a printed copy of the final bond estimate certified by the plan engineer, and a PDF copy of both the plan and bond estimate on a thumb drive.

Please be aware that prior to release of the site plan to authorize construction, that the stormwater management maintenance agreement and any required easements or reservations must be recorded, the performance bond must be provided, and both the stormwater and land disturbance permit must be issued. To avoid any delays between plan approval and release that could impact construction, I recommend submitting all required agreements, plats, deeds and permit documents as soon as possible so that the review and approval process of these items can begin. If you have any questions, please contact either me or Amber Heflin, as copied on this email.

Thank you,
Heather

Heather E. Jenkins, PLA, CZA
Zoning Administrator
Community Development Department

21 Main Street
Warrenton, VA 20186
(540) 347-1101 x144
warrentonva.gov

The Town Zoning Ordinance is being revised – stay up to date here: https://www.warrentonzoningordinanceupdate.com.

From: Frank Cassidy
To: Stephen Clough
Subject: FW: Taylor Middle School Project
Date: Thursday, September 4, 2025 1:47:23 PM
Attachments: Taylor Middle School SUP Timeline.pdf
Taylor Middle School SDP Timeline.pdf
Fauquier High School Turf Field Timeline.pdf

Frank Cassidy

Town Manager

21 Main Street
Warrenton, VA 20186
Office: (540) 347-1101 Ext. 123
warrentonva.gov

From: Lyndie Paul <lpaul@warrentonva.gov>
Sent: Thursday, September 4, 2025 8:58 AM
To: Tate Hewitt <thewitt@fauquier.com>
Cc: Frank Cassidy <fcassidy@warrentonva.gov>
Subject: Taylor Middle School Project

Good morning Tate,

In light of the accusations from the School Board regarding the Taylor Middle School project, staff has created the attached timelines including one for the SUP and the SDP processes. As this project will be discussed at next week's Town Council Meeting, I am forwarding these to you. Also noting staff created one for the FHS turf field project that is attached as they also blamed the Town for delaying that project as well.

These timelines show how staff has been diligently working with the school and their contractors to complete projects in a timely manner and consistently communicating. Delays have been from the school side not the Town side. We are growing tired of the repetitive accusations and hope this helps clarify the project and the outlined require steps.

Also, we have heard we are holding this project up purposely to change the site plans, building plans, and landscaping plans. We cannot change any of these plans as they have all been approved. This current issue has to do with a contract requiring a signature for the required bond to ensure if the work is not done properly or as per the plans the Town will not have to spend taxpayer dollars to finish or correct the project. Again, this is standard for permitting and development. Our attorney has been working with the school to try to resolve this.

As always, if you have questions, please let me know.

Thanks!

Lyndie Paul
Communications Manager/Executive Assistant
Town Manager's Office

21 Main Street
Warrenton, VA 20186
O: (540) 347-1101 Ext. 125
M: (540) 351-4173
warrentonva.gov

Site Development Plan

- First Submission of plan received May 9, 2024
- First submission review comments provided to engineer on June 12, 2024 **(*Typical first submission turnaround is 60 days – Town staff turnaround in 33 days).**
- Staff received email requesting post-comment review meeting on July 10, 2024
- Post-Comment review meeting on July 19, 2024
- Emails were exchanged between land development staff and the engineer regarding draft bond estimates on August 2, 2024. Staff advised during Site Plan review; estimates are required to ensure the bonding amounts are correct. Staff advised that once the bond estimate appeared correct, the originally signed bond contract would be requested.
- Second submission of plan received August 8 2024
- Second submission review comments provided to engineer on August 22, 2024 **(*Typical second submission turnaround is 45 days – Town staff turnaround in 14 days).**
- Email discussion with engineer regarding draft comment responses to Town staff comments on September 13, 2024.
- Staff requested and received the latest version of the bond estimate by email on September 16, 2024.
- Signature sets submitted for circulation/town staff signatures on September 19, 2024
- Signature sets approved and Engineer, School representatives notified for pick up on October 1, 2024.
    - This approval letter included conditions of approval, and the required bonding documents/amount.
    - This approval also included the easement plat requirement.
- Land Development staff received the Building permit for Taylor Middle School on November 27, 2024. Staff sent email to the Director of Facilities notifying them staff did not have a land disturbance permit on file and notified them of the remaining items prior to issuance of the building permit for construction, **this included the bonding.**
- Land Development staff received a response from the Director of Facilities on November 27, 2024 indicating he would look into it.
- Stormwater staff received bonding by email from Branch Builds on June 11, 2025.
- Stormwater staff forwarded email on June 11, 2025 to Land Development staff.
- Land Development staff reached out to Branch Builds requesting the status of the originally signed bond contract on June 11, 2025.
- Received response from Branch Builds on June 11, 2025, that the bond contract was returned to the Public School's office. The original bond was to be delivered that week.
- Land Development staff emailed Branch Builds on June 12, 2025, indicating receipt of a ***copy*** of the bond. Staff indicated we ***must have the original*** bond on file rather than a copy. Also notified that the original wet-signed bond contract was still needed.
- **Director of Community Development emailed Branch Builds on June 17,2025, requesting an update on the bond contract due to no response from Branch Builds.**
- **Branch Builds responded on June 17, 2025, indicating bond was dropped off along with payment for Building Permit fees.**

- **Director of Community Development sent additional email on June 17, 2025, indicating the wet-signed bond contract is still missing.**
- **Branch Builds responded on June 17, 2025, indicating confusion with the requested document.**
- **Land Development staff responded on June 17, 2025, indicating the original bond contract was needed in addition to the bond submitted, and also explained the bond contract purpose. Sent over example of a recent bond contract as a reference.**
- **Land Development staff received email from Branch Builds on June 30, 2025, indicating their refusal to sign the required bond contract.**
    - ***"Branch has an executed Prime Contract with Fauquier County Public Schools, which includes all the terms and conditions set forth by the County in the bid documents. These provisions cover methods, materials, standards, specifications, bonding/security, site clean-up, damages, and other project requirements, many of which appear to be duplicated or contradictory in the Town of Warrenton's Public Improvement Contract"***
- **Director of Community Development responded by email on July 1, 2025, requesting to receive a copy of the contract between Branch Builds and the School to verify discrepancies.**
- Contract received via email from Branch Builds on July 1, 2025.
- **Director of Community Development responded by email on July 1, 2025, requesting examples of discrepancies between the contract with the schools and the required bond contract, as it appears the contract between Branch Builds and the School related to deliverables, employees, materials, etc. Director advised the Town is seeking a commitment as it relates to the site work approved under the Site Development Plan.**
- Branch Builds responded by email on July 2,2025, indicating they are happy to provide commitment to the site work, in accordance with the prime contract signed with the School. Branch noted that the Town's standards and specifications were not included in the prime contract with the school and therefore, Branch cannot commit to a second separate contract that imposes "potentially conflicting" requirements. Branch requested staff coordinate with the Town Attorney on these issues.
- Staff received response on July 2, 2025, from Patrick Corish with the Town Attorney's office indicating he would review the document and the request from Branch Builds.
- Staff received email status update on July 8, 2025, from Patrick Corish indicating he was still examining the request.
- Staff received email response on July 10,2025, from Patrick Corish with the Town Attorney's office indicating he was not in agreement with waiving or modifying the Town's standard bond contract language. Mr. Corish suggested that the County, the Contractor, and the Architect modify the existing contract with the School through a work order to have the existing contract include/meet the Town's standards.
- Land Development staff provided the information/suggestions received from Mr. Corish in an email to Branch Builds on July 10, 2025. Staff indicated the Town Attorney was willing to meet to discuss.
- **Land Development staff emailed Branch Builds again on July 14, 2025, due to receiving no response. Staff again offered to coordinate a meeting between the parties.**

- **Received email from Branch Builds on July 14, 2025, acknowledging receipt of staff's email. Branch indicated they were reviewing internally and would provide a response shortly.**

Separate discussions began at this point between the Town's legal Counsel, the School's legal Counsel, and the Contractor's legal Counsel that staff was not privy to.
**

  - Land Development staff reached out to the Town Attorney's office via email on August 15, 2025, requesting a status update.
  - Received a response from Patrick Corish on August 15, 2025, indicating he had not heard from Branch nor the attorney and would reach back out to them.
  - **Received a response from Patrick Corish on August 15, 2025, indicating Branch/School Board/Legal Counsel were still discussing his suggestions.**
  - Land Development staff reached out to the Town Attorney's office via email on August 20, 2025, requesting a status update.
  - **Land Development staff and the Director of Community Development received an email on August 21, 2025, from Patrick Corish with the Town Attorney's office indicating there were two or more weeks of delays in discussion with Branch Builds and the School Board, and still no resolution. Mr. Corish indicated he felt that substantial modifications to the Town's standard bond contract language required the Town Council's approval.**

Easement Plat

- First submission received on October 11, 2024
- First submission comments provided to engineer on October 28,2024.
- Second Submission (**Digital only**) received on February 10, 2025.
- Second submission comments provided to the applicant on March 3,2025.
- Third submission **(digital only)** received on March 13, 2025.
- Third Submission comments provided to the applicant on March 24, 2025.
- Fourth Submission **(digital only)** received on April 3, 2025.
- Staff (after reviewing the resubmission) requested signature sets by email to Timmons (Project manager, Darrel Caison) on April 3, 2025.
- Signature sets received on April 7, 2025.
- Signature sets signed by all necessary staff/ Town Attorney on April 9, 2025.
- Applicant notified items were ready for pick up and recordation April 11, 2025.
- Easement plat and deed were recorded on May 9, 2025.

*****Note, digital only submissions were accepted to avoid delays with printing the plats with each resubmission. Staff reviewed each resubmission digitally. *****

  - **Town staff also completed preliminary reviews of the Building Plan for the Building permit on 12/10/2025 and 2/20/2025, in an effort to keep the project moving forward while still working through the easement process/ site plan approval conditions.**

TOWN OF WARRENTON
Community Development Department
PO BOX 341
WARRENTON, VIRGINIA 20188
http://www.warrentonva.gov
LandDevelopment@warrentona.gov
(540) 347-2405

SITE PLAN APPROVAL

October 1, 2024

Project Name	Taylor Middle School Addition & Renovation
Project Number	SDP-2024-7
Location	350 E Shirley Avenue (6983-48-7973-500)
Use	School (Z.O. 3-4.9.3)
Zoning	Public-Semi-Public (PSP)

Applicant	**Engineer/Applicant Representative**	**Owner**
David Graham, Construction Manager Fauquier County Public Schools Facilities & Construction Department 124 Manor Court, Suite 5 Warrenton, VA 20186 dgraham@fcps.org 540-905-6056	Luke Fetcho Timmons Group 20110 Ashbrook Place, Suite 100 Ashburn, VA 20147 Luke.fetcho@timmons.com	County School Board of Fauquier County 320 Hospital Drive, Suite 40 Warrenton, VA 20186

CONDITIONS OF APPROVAL

1. Development of the subject property shall conform to all notes and design layouts on the approved plan. This approval shall be for this Site Plan only; any change or increase in use or intensity may require the submittal of a new or amended site plan.
2. Development of this property is subject to all approval conditions of the Special Use Permit, case number SUP 2023-04, approved by Town Council on April 9, 2024.
3. All required easements, dedications and reservations shall be recorded in conformance with the Special Use Permit and as shown in this site plan; proof of recordation must be provided prior to issuance of any Certificate of Occupancy.
4. Refuse storage areas shall be screened with a sold enclosure compatible with the buildings on the property. Final design of all refuse enclosures shall be shown as a part of the required Zoning Permit.
5. Prior to issuance of a Certificate of Occupancy, the public access easement dedicated along E. Shirley Avenue from the southern parking lot entrance shall be graded according to VDOT standards to accommodate a future extension of a 10' wide shared use path.
6. Prior to issuance of a Certificate of Occupancy, the Applicant/Owner must schedule a site meeting with the Zoning Administrator to verify the conditions of Zoning/Use Buffer A, during which time the location and number of additional plantings will be determined so as to ensure that the condition of the buffer area will conform to SUP approval condition #6 and Article 8 of the Zoning Ordinance. All required plantings must be in place and in a healthy growing condition prior to any reduction or release of the performance bond.
7. A Stormwater Management/BMP Maintenance Agreement is required for this project; proof of recordation must be provided prior to release of this site plan to authorize construction.
8. A performance Bond is required for improvements associated with this project; bonding shall be provided in the amount of **$1,457,701.32** prior to the issuance of the Land Disturbing Permit.
9. A Right-of-Way permit must be obtained from the Department of Public Works prior to the release of this Site Development Plan to authorize construction activities within the public right-of-way.
10. A Land Disturbance permit is required for this project. A complete application for a Land Disturbance permit must be submitted for review and approval to include the following:
    a. A Stormwater Pollution Prevention Plan (SWPPP)
    b. 2024 Registration Statement Application
    c. Land Disturbance Permit fee of **$780.50**
    d. State Stormwater Permit fee of **$4,500.00**

e. Nutrient Credit Proof of Purchase Letter for **1.76 lbs**.
f. The necessary documentation showing compliance by the Army Corps of Engineers, Department of Environmental Quality (DEQ) - Virginia Water Protection (VWP).
g. The necessary documentation showing compliance by the U.S. Fish and Wildlife Service (Northern long-eared bat as Endangered under the Endangered Species Act)

11. All fire hydrants shall be provided with adequate protection, and all fire lanes shall be posted, prior to the issuance of any Certificate of Occupancy, as deemed acceptable by the Fire Official.
12. A separate Sign Permit is required for all site and entrance signage in conformance with Article 6 of the Ordinance.
13. All exterior lighting shall conform to Section 9-8 of the Ordinance; all fixtures shall consist of fully-shielded, full cut-off fixtures, where no light is emitted above a horizontal plane passing through the lowest point of the light-emitting element.
14. An As-Built Plan is required for this project. The As-Built Plan must be submitted within one year of issuance of the first occupancy permit for review and approval. Final approval of the As-Built Plan is required prior to the final release of any Bond per Section 10-9 of the Ordinance.
15. The approval of the subject site plan shall expire five (5) years after the date of approval unless building permits have been obtained for construction, per Section 10-7.8 of the Zoning Ordinance.

ZONING ADMINISTRATOR APPROVAL:	
This Site Development Plan is approved subject to all conditions and requirements noted above.	
ZONING ADMINISTRATOR SIGNATURE:	**DATE:**
Heather S. Lunbeck	10-1-2024

CONDITIONS OF RELEASE:

NOTE: Site work/construction cannot commence until the site plan has been released!

Prior to the release of this plan to authorize construction, the following must be addressed:

1. The Stormwater Management/BMP Maintenance Agreement must be recorded.
2. All required off-site easements must be recorded.
3. The Bond must be provided.
4. A Right-of-Way Permit must be obtained.
5. A Land Disturbing Permit must be issued.

THIS SITE DEVELOPMENT PLAN HAS BEEN RELEASED:	
STAFF SIGNATURE:	**DATE:**

From: Rob Walton
To: townmanager; PAULING, SUSAN; Carter Nevill; Paul Mooney; David McGuire; Roy Francis; William Semple; Larry Kovalik; Michele O"Halloran; Eric Gagnon; Amber Heflin; Heather Jenkins
Cc: Warner, Major; Lyndie Paul; Stephanie Miller; Stephen Clough; Chap Petersen; Patrick R Corish; Downes, Janelle
Subject: RE: TMS Project
Date: Thursday, September 4, 2025 9:08:39 AM
Attachments: Re_ Taylor Middle School- Building Permit_ 2024.11.27.pdf
RE_ Taylor MS (SDP-24-7) - Signature Set Notification 2024.10.01.pdf
Approved_ApprovalConditions_10-1-2024.pdf

Ms. Pauling,

I have attached the email correspondence to the schools from October 2024 and November 2024. The email correspondence from October is to let you all know that the site plan has been approved and is ready for pick-up. The site plan approval included an approval letter that stated the bond is required prior to commencement of construction activities. I have also included the approval letter for your reference. In essence, the Bond Contract, required by the Town, is stating that the improvements will be completed in accordance with the approved site plan. It does not allow the Town to require additional improvements, nor allow the Town to make changes after work has started. The Town's Attorney's last communication, with Branch Builds, was on August 21, 2025 where he attempted to make revisions, however, those revisions were rejected and there has been no contact since that staff is aware of. Please let me know if you have any questions.

Thank you,
Rob

From: townmanager <townmanager@warrentonva.gov>
Sent: Thursday, September 4, 2025 8:45 AM
To: PAULING, SUSAN <Susan.Pauling@FCPS1.ORG>; townmanager <townmanager@warrentonva.gov>; Carter Nevill <cnevill@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; Roy Francis <rfrancis@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Larry Kovalik <lkovalik@warrentonva.gov>; Michele O'Halloran <mohalloran@warrentonva.gov>; Eric Gagnon <egagnon@warrentonva.gov>; Amber Heflin <aheflin@warrentonva.gov>; Heather Jenkins <hjenkins@warrentonva.gov>; Rob Walton <rwalton@warrentonva.gov>
Cc: Warner, Major <mwarner@FCPS1.ORG>; Lyndie Paul <lpaul@warrentonva.gov>; Stephanie Miller <smiller@warrentonva.gov>; Stephen Clough <sclough@warrentonva.gov>; Chap Petersen <jcp@petersenfirm.com>; Patrick R Corish <prc@petersenfirm.com>; Downes, Janelle <janelle.downes.adm@fauquiercounty.gov>
Subject: RE: TMS Project

Good morning.

Please see the attached timelines to assist.

Also, I sent an email to our Council yesterday as follows:

> Good afternoon, Mayor (council is bcc'd)
>
> In light of the accusations regarding the Taylor School project, I am forwarding the attached time lines. These timelines will help show how staff has been attempting to work With the school contractors to get their projects done and in a timely manner. I must point out this is the third time we have been accused of delaying a project for the school all of them have been false accusations. In reality we have been working diligently to communicate and push short time lines. We have been encouraging collaboration and team work. Delays have been from the school side not the Town side. We are growing tired of the repetitive finger pointing and hope this helps clarify the project and they outline the require steps.
>
> Also, we have heard we are holding this project up purposely to change the site plans, building plans, and landscaping plans. We cannot change any of these plans as they have all been approved. This current issue has to do with a contract requiring a signature in Regards to the required bond to ensure if the work is not done properly or as per the plans the Town will not have to spend tax payer dollars to finish or correct the project. Again, this is standard for permitting and development. Our attorney has been working with the school to try to resolve this.
>
> I hope this helps. As always, if you have questions or require additional information please let me know. We look forward to discussing this at our Council meeting
>
> Frank

Our staff is and always has been available to meet with your contractors and team to keep this project moving forward. Please let me know if you need additional or when you would like to meet to discuss.

Thank you,

Frank Cassidy

Town Manager

21 Main Street
Warrenton, VA 20186
Office: (540) 347-1101 Ext. 123
warrentonva.gov

From: PAULING, SUSAN <Susan.Pauling@FCPS1.ORG>
Sent: Thursday, September 4, 2025 8:28 AM
To: townmanager <townmanager@warrentonva.gov>; Carter Nevill <cnevill@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; Roy Francis <rfrancis@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Larry Kovalik <lkovalik@warrentonva.gov>; Michele O'Halloran <mohalloran@warrentonva.gov>; Eric Gagnon <egagnon@warrentonva.gov>; Amber Heflin <aheflin@warrentonva.gov>; Heather Jenkins <hjenkins@warrentonva.gov>; Rob Walton <rwalton@warrentonva.gov>
Cc: Warner, Major <mwarner@FCPS1.ORG>
Subject: TMS Project

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Some people who received this message don't often get email from susan.pauling@fcps1.org. Learn why this is important

Good morning, Town Council, Mayor, Mr. Cassidy, Ms. Jenkins, Ms. Heflin, and Mr. Walton.

It seems there is a misunderstanding regarding what information was received by the school division and the date notice was given. According to the latest Fauquier Times article, Ms. Heflin said the division was contacted about all of the requirements for the project in October 2024 and again the following month. Could you please forward the emails sent from the town to division staff? According to the article, there should be at least one email in October 2024 and another in November 2024. Also, if there is any other communication, I would like that as well. We have scanned our emails, and we were unable to locate any communication that speaks to the bond with the town before June of 2025.

Mr. Campbell and I requested a liaison meeting between the School Board and the Warrenton Town Council to avoid future setbacks of this vital project in August 2024. Town Council's response, "Although the mayor and vice mayor appreciate the invitation for a meeting…they feel it best to defer the meeting to the work of the staff." I believe that if the Town Council had agreed to participate in a liaison meeting, we would not be at an impasse. Our desire is to

communicate, and if needed, overcommunicate, so that we can best serve our community. The biggest impact of this miscommunication is on our staff and students who are currently sitting at capacity in the Taylor Middle School, formerly known as the Warrenton Middle School.

I would like to resolve this issue promptly so that Branch Builds can return to work and adhere to the timeline. Did the Town of Warrenton require a bond for the Fauquier High School renovation project in 2012? Additionally, is there anyone who can explain to the School Board what the town is seeking outside of the project that would require a contract to be signed by Branch Builds?

Susan Pauling
Fauquier County Public Schools
School Board Chair
Center District Board Member

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Taylor Middle School SUP Timeline

April 5, 2017 – Town letter to School Board regarding middle school discussions

March 10, 2020 – Town Council initiated a zoning text amendment

April 12, 2022 – Town Council adopts a Zoning Text Amendment that requires a SUP for school and hospital expansions equal to/over 10,000 square feet.

February 16, 2023 – Fauquier Times article on merging schools; no one in Town government notified.

February 22, 2023 (AM) – Town County Liaison Meeting Council members inquire about the status of Warrenton and Taylor Middle schools.

April 4, 2023 – Applicant submits a Pre-Application Concept for a SUP.

April 17, 2023 – Pre-Application meeting where the Town informed Applicant of need for SUP and a Traffic Impact Analysis (TIA).

April 19, 2023 – Applicant requests follow up meeting.

April 20, 2023 – Town met with Applicant; provided historical Site Development Plan (SDP) documents to Applicant for the parcel.

May 15, 2023 – Despite not having the TIA pre-scoping meeting and form sign off, Applicant requests agreement on TIA intersections to be able to conduct traffic counts before school lets out. Town, VDOT, and County agree.

August 28, 2023 – Applicant signs VDOT TIA pre-scoping form and submits to Town. Town signs 8/29/23.

September 29, 2023 – SUP application accepted for processing.

November 14, 2023 – First round of Town comments provided to Applicant.

November 16, 2023 – VDOT, Town, County, and Applicant meeting.

November 20, 2023 – Town meets with Applicant to answer zoning questions.

January 18, 2024 – Applicant submits second submission.

February 9, 2024 – Agency comments provided to applicant on second submission

February 20, 2024 – Planning Commission Work Session

March 19, 2024 – Planning Commission Public Hearing

April 9, 2024 - Town Council Public Hearing

April 9, 2024 – Town Council Approval of SUP with Conditions

From: Edwards, Thomas
To: Amber Heflin; Johnston, Joshua
Cc: Heather Jenkins; Kerry Wharton; Graham, David
Subject: Re: Taylor Middle School- Building Permit
Date: Wednesday, November 27, 2024 12:09:13 PM
Attachments: FINAL- SDP-24-7-Conditions of Approval Taylor Middle.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I will look into with he design team.

Tom Edwards
Director of Facilities and Construction
Fauquier County Public Schools

Sent from my iPhone

On Nov 27, 2024, at 9:09 AM, Amber Heflin <aheflin@warrentonva.gov> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Mr. Edwards,

I just received the building permit for Taylor Middle School for review and noticed that we don't have the Land Disturbance Permit submitted for the project.

We'll need the land disturbance permit submitted prior to releasing the building permit to allow construction along with the following other associated items:

-The recorded Stormwater Management and BMP Maintenance Agreement
-SWPPP
-2024 Registration Statement
-Land Disturbance permit fee of $780.50
-State permit fee of $4,500
-Proof of Purchase for nutrient credits (1.76 lbs.)
-A complete list of information needed is in the attached conditional approval letter

We'll also need the bonding, and a right-of-way permit submitted in addition to the above. We can continue to review the permit in the meantime, but it won't be able to be released until these items have been submitted and approved.

Please let me know if you have any additional questions.

Thank you,

Amber N. Heflin, CZA, COSS
Zoning Official
Community Development Department

21 Main Street
Warrenton, VA 20186
(540) 347-1101 x142
warrentonva.gov

See the progress on the Town's Zoning Ordinance update here:
https://www.warrentonzoningordinanceupdate.com/

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Fauquier High School Turf Field Site Development Plan- Minor Amendment

- First Submission of plan received May 6, 2025
- First submission review comments provided to engineer on May 22, 2025 **(* Typical 1st submission review is 60 days. Turnaround was 16 days).**
- Second submission of plan received June 2, 2025
- Second submission comments sent to applicant on June 9, 2025 **(* Typical 2nd submission review is 45 days. Turnaround was 7 days).**
- Post-Comment review meeting on June 12, 2025.
    - Email follow up sent June 12, 2025, by Land Development staff indicating the additional items needed for the Land Disturbance Permit and Easement Plat submittals. *****To date, staff has not received an easement plat submittal.***
- Third submission **(Digital Only)** received on June 26, 2025
- Third submission staff comments sent same day June 26, 2025 **(* Typical 3rd submission review is 45 days. Turnaround was same day).**
- Fourth submission **(Digital Only)** received on June 30, 2025
- Staff provided 4th review comments via email on June 30, 2025 **(* Typical 4th submission review is 45 days. Turnaround was same day).**
- Land Disturbance Permit application submitted via email by Engineer to Land Development staff on June 30, 2025
- Land Development staff responded on June 30, 2025, indicating an application had already been submitted, and staff would add Stormwater permit fees to the existing application.
- Engineer responded on June 30, 2025, indicating Stormwater permits fees had been paid online via the permit portal.
- Stormwater Administrator sent follow-up email to Contractor and School Facilities staff on June 30, 2025, regarding remaining items needed for issuance of the Land Disturbance Permit.
    - Confirmation of Construction General Permit Coverage Letter
    - Nutrient Credit Proof of Purchase Letter for .21 lbs.
    - Stormwater Maintenance Agreement to be reviewed, approved, and recorded.
    - Easement Plats to be reviewed, approved, and recorded.
    - Bonding required to be reviewed, approved, and posted based on the approved plan.
- Stormwater Administrator received email on July 2, 2025, from School Facilities staff with a draft Stormwater Agreement requesting review.
- Stormwater Administrator reviewed the document and responded on July 2, 2025, that the agreement was in conformance with requirements. She advised the deed book and page reference would need to be updated and the originally signed document would need to be provided to the Town so it could be routed for signatures of Town staff.
- Stormwater Administrator inquired to School Facilities staff about the status of the easement plat by email on July 2, 2025.
- School facilities staff responded on July 2, 2025, that they would need to work that out with Hellas Construction (contractor) if the Town was requiring an easement plat. They

indicated the easement plat should be something Hellas Construction provides them for a “full turnkey turf installation”.

- Signature set received July 1, 2025
- Site Development Plan approved by Land Development staff on July 1, 2025.
- Stormwater Administrator emailed School Facilities staff after discussions with Hellas Construction regarding the bonding required for Erosion and Sediment Control and Stormwater. She indicated in her email that Hellas construction was going to post the bond. She provided all bonding forms for their use and cc’d the Land Development staff for questions regarding the bonding. She indicated the pre-construction meeting was scheduled for July 8, 2025.
- Land Development staff received an email from Contractor with general questions about the bond estimate on July 2, 2025.
- Land Development staff coordinated with the contractor regarding bonding questions via email on July 2, 2025.
- Contractor submitted revised bond estimate for review prior to obtaining bond from bonding company on July 2, 2025.
- Stormwater Administrator requested via email that the contractor work with Land Development staff regarding the bonding requirements on July 3, 2025.
- Land Development staff responded via email on July 3, 2025, attaching the bond agreement and bond contract forms requesting that the bond amounts on the agreement and contract match the bond estimate that was previously reviewed and approved. Land Development staff explained the process once the signed bond contract/bond documents were submitted. (Routing for signature, etc.)
- Land Development staff received email from Contractor on July 3, 2025, with red-lined edits to the standard bond contract to strike “Developer” and replace with “Contractor” throughout the document.
- Land Development staff responded to the contractor on July 7, 2025, requesting confirmation that no other changes are being requested to any other bond forms prior to sending to the Town Attorney’s office for review.
- Received response from contractor on July 7, 2025, indicating that was the only change.
    - Town staff transmitted the changes to the Town Attorney’s office on July 7, 2025.
- Land Development staff responded to the contractor on July 10, 2025, indicating the Town Attorney has reviewed and accepted the changes to the bond contract. Staff requested a fully executed copy of the bond contract be submitted for routing to the Town Manager, Town Clerk, and Town Attorney for final signature.
- Land Development staff received email from contractor on July 10, 2025, asking if Town staff will be adding a signature block for the School District under Article 8 of the bond contract.
    - School Facilities staff interjected with an email response on July 10, 2025, asking the contractor when they were going to show a sense of urgency since the project is a month behind schedule. School Facilities staff continued in their email response to state, *“If the Town is agreement with what you redlined, sign it so you can get your permit and get dirt moving.”*
    - Hellas Construction (Contractor) responded via email on July 10, 2025, acknowledging the project is behind and that they understand the frustration. They indicated that the legal documentation for the project needs to be correct.

- Land Development staff responded on July 11, 2025, that any additional signature areas needed would need to be added by the contractor prior to submitting for signature set due to the revisions being requested by the contractor rather than the Town itself.
- Land Development staff received email on July 11, 2025, from the contractor with a digital scan of the signed bond contract. They advised they would provide the original via overnight shipment to the Town staff to route for signature once they received it.
- Land Development staff received the executed bond contract on July 15, 2025, for signature from the Town Attorney, Town Manager, and Town Clerk.
- Land Development staff Fed-Ex'd the bond contract to the Town Attorney's office on July 16, 2025 with an estimated delivery date of July 17, 2025.
- Land Development staff received an email on July 17, 2025, from the Town Attorney's office indicating he had signed the bond contract and was sending it back to us via FedEx.
- Bond contract signed by Town staff on July 18, 2025, contractor and school facilities staff notified via email on same date and provided digital signed copy for their records.
- Land disturbance permit was issued July 18, 2025.
- Erosion and Sediment Control inspections are ongoing. Last inspection was conducted on September 2, 2025.

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9, 2025
Agenda Title:	Flock Cameras and VSP H.E.A.T. Grant
Requested Action:	Acceptance of Grant Funds from Virginia State Police H.E.A.T. Program
Department / Agency Lead:	Police
Staff Lead:	Timothy M. Carter, Chief of Police

EXECUTIVE SUMMARY

This staff report provides an overview of the Flock Safety LPR (License Plate Reader) system and the Virginia State Police H.E.A.T. (Help Eliminate Auto Theft) grant.

BACKGROUND

The Warrenton Department applied for and received acceptance regarding a $10,000 grant from the Virginia State Police H.E.A.T. (Help Eliminate Auto Theft) Program, reimbursing agencies for the purchase of equipment that will be utilized for investigating vehicle thefts or promoting the prevention of vehicle theft. The department plans to utilize these funds for the purchase of three Flock Falcon products, which provide real-time intelligence with its license plate reader technologies. The tool is also portable which enables the agency to deploy this technology in the areas where these types of crimes are occurring. This funding will provide all hardware and software of the system for a term of one year.

STAFF RECOMMENDATION

That Council accepts the $10,000 grant from the Virginia State Police H.E.A.T. (Help Eliminate Auto Theft) Program.

Further, that Council approves a budget increase in the amount of $10,000 to accurately reflect the total amount of grant funds received and the corresponding program costs.

Service Level/Collaborative Impact

The Warrenton Police Department currently has 18 sworn officers assigned to patrol working 24 hours a day, 365 days per year. The Town of Warrenton is approximately 4.7 square miles of land mass and is located at the junction of U.S. Routes 15, 17, 29, and 211. Warrenton is both a popular destination and a pass-through/stopover for travelers, particularly those heading to locations off U.S. Route 211 which cannot be easily accessed from the north, south, and east of Warrenton without passing through town. Additionally, residential growth in and around Warrenton has created a boom of vehicular traffic in the last several years.

Purchase of the Flock Safety LPR Camera System would assist our officers as additional eyes on the roadways. This technology will aid investigative efforts for many crimes to include auto theft and auto parts theft. Flock Safety offers real-time alerts and advanced recognition capabilities. These LPR cameras would be strategically positioned to provide the best coverage and most efficient assistance to our law enforcement officers.

In addition to the Town of Warrenton, the Flock Safety System will benefit other jurisdictions. Vehicles traveling to and from the counties of Fauquier, Culpeper, Prince William, Loudoun, and Rappahannock routinely come through the Town of Warrenton. Strategically positioned LPRs, in conjunction with the same network from counties and towns in our area, will serve to provide a stronger surveillance network by alerting law enforcement if a stolen vehicle were to pass through. This becomes a force multiplier for all law enforcement agencies in our region.

The Flock LPR camera system is proven to reduce crime through deterrence, evidence collection, vehicle tracking, and more efficient investigations. The Warrenton Police Department has investigated numerous stolen vehicle cases from our local automobile dealerships, as well as stolen catalytic converters and other theft cases from private residences. Flock Safety will aid in the investigation and recovery of stolen property for these cases and assist in the prosecution of these perpetrators.

Policy Direction/Warrenton Plan 2040

The Police Department is focused on accomplishing the goals set forth in Plan Warrenton 2040. In particular, the Police Department meets goal CF-2 by its responsive nature and the effectiveness of its programs. Goal CF-2.1 is met through the Department providing an acceptable level of service through the proper staffing and acceptable response times. And Goal CF-2.5 is met through the Department's continued cooperative agreements with agencies like the Fauquier County Sheriff's Office to meet the public safety needs of the community.

Fiscal Impact

The initial cost for three Flock Falcon systems is $11,950, which includes $1950 in installation costs. The H.E.A.T. grant will cover $10,000 and the remaining amount of $1950 will be absorbed in the police department budget. After the initial one-year period, the re-occurring cost associated with this system is $3,000 per year, per unit.

Legal Impact

There is no legal impact to the Town at this time.

ATTACHMENTS

None

September 9th, 2025
Town Council
Regular Meeting
Res. No.

A RESOLUTION TO AMEND THE FISCAL YEAR 2026 BUDGET TO APPROPRIATE GRANT FUNDS FROM THE VIRGINIA STATE POLICE

WHEREAS, the Warrenton Town Council is charged by the Code of Virginia with the preparation of an annual budget for the Town of Warrenton; and

WHEREAS, on June 10, 2025, the Town Council adopted the Town of Warrenton Fiscal Year 2026 Budget; and

WHEREAS, the Virginia State Police administers the Help Eliminate Auto Theft (H.E.A.T.) Program, which provides grant funding to law enforcement agencies in support of initiatives to reduce, prevent, and investigate motor vehicle theft and related crimes; and

WHEREAS, Warrenton Police Department staff applied for a H.E.A.T. grant in July for funding the purchase of Flock Safety LPR cameras to aid in the investigation of auto theft, auto parts theft and related crimes; and

WHEREAS, there was a 75% increase in automobile thefts in the Town of Warrenton between 2023-2025; and a 34% increase in other thefts over the same period; and

WHEREAS, Flock Safety LPR cameras provide a cost-effective, force-multiplying method of crime prevention, crime deterrence, and investigative support that has been shown to improve community safety; and

WHEREAS, on July 29, 2025, the Virginia State Police notified the Town of its decision to award grant funds in the amount of $10,000.00 in support of the Warrenton Police Department's mission to reduce crime and improve community safety; and

NOW, THEREFORE, BE IT RESOLVED by the Warrenton Town Council this 9th day of September 2025, that the Warrenton Police Department is hereby authorized to accept H.E.A.T. Program grant funds in the amount of $10,000 from the Virginia State Police; and

BE IT FURTHER RESOLVED that the Fiscal Year 2026 budget is hereby amended to appropriate $10,000 in state grant funding.

ATTACHMENT: None

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

For Information:
Chief of Police

ATTEST: _____
Town Recorder

EXPERIENCE WARRENTON VIRGINIA EST. 1810

Flock Safety LPR Camera System

Town Council Regular Meeting

September 9, 2025

flock safety

- Atlanta Based Company
- 800+ Employees
- Full Suite Public Safety Platform
- 52,000+ Camera Network

The Flock Safety Platform

Detect

• Falcon®

• Raven®

• Condor™

• Wing™

Capture evidence with Flock Safety devices and third-party infrastructure

Decode

- Real-Time Routing
- Visual Search
- Multi-Geo Search
- Vehicle Fingerprint™ Search
- Gunshot Localization
- Convoy Analysis
- Fireworks

Make sense of mountains of evidence instantly with AI

Deliver

- Search
- Map
- Mobile App
- Real-time Alerts
- Actionable Insights
- License Plate Lookup
- Situational Awareness

Get the right evidence into the right hands at the right time with FlockOS

Capture more evidence. Solve more crime.

LPR

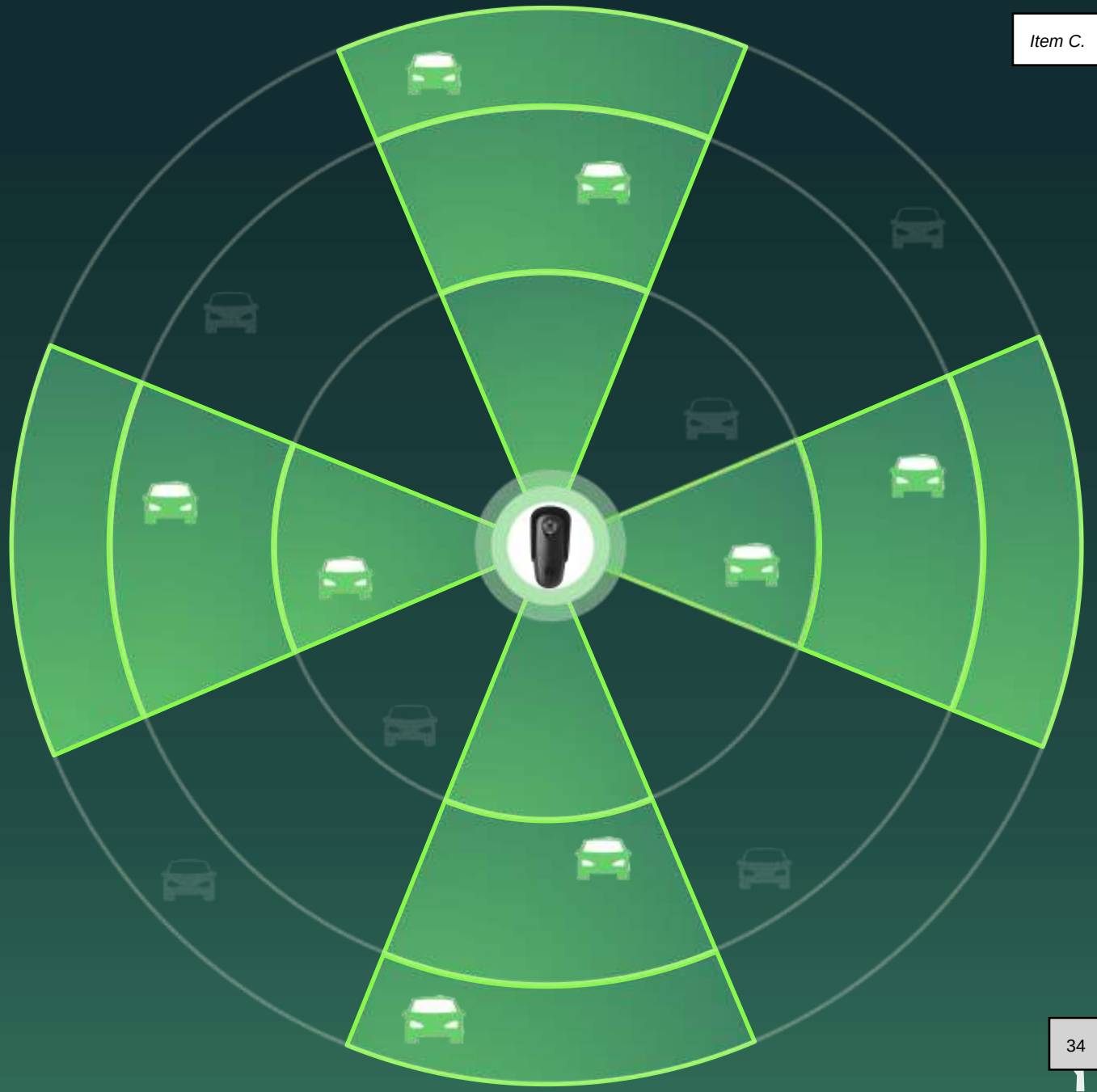
Falcon

flock safety

A Falcon for every use case and roadway

Falcon SR
Short Range
10-25′
Range
2 Lanes

Falcon STD
Standard Range
25′ - 45′
Range up to
80 mph
2 Lanes



flock safety

Eliminate crime on every roadway

Never miss a lead with Falcon® License Plate Recognition for all roads, including high-speed and multi-lane freeways, parking lots, tactical applications, and more.

PRICING

$3,000 Per Falcon (STD and SR)
$150 Existing Pole Install Fee
$650 Flock Pole Install Fee

24/7 COVERAGE

Capture objective vehicle data around the clock to multiply your force.

REAL-TIME ALERTS

- NCIC
- NCMEC (Amber Alert)
- Custom Hot Lists
- Hot List sharing

END-TO-END SERVICE

- Hardware
- Permitting
- Installation & Maintenance
- Training

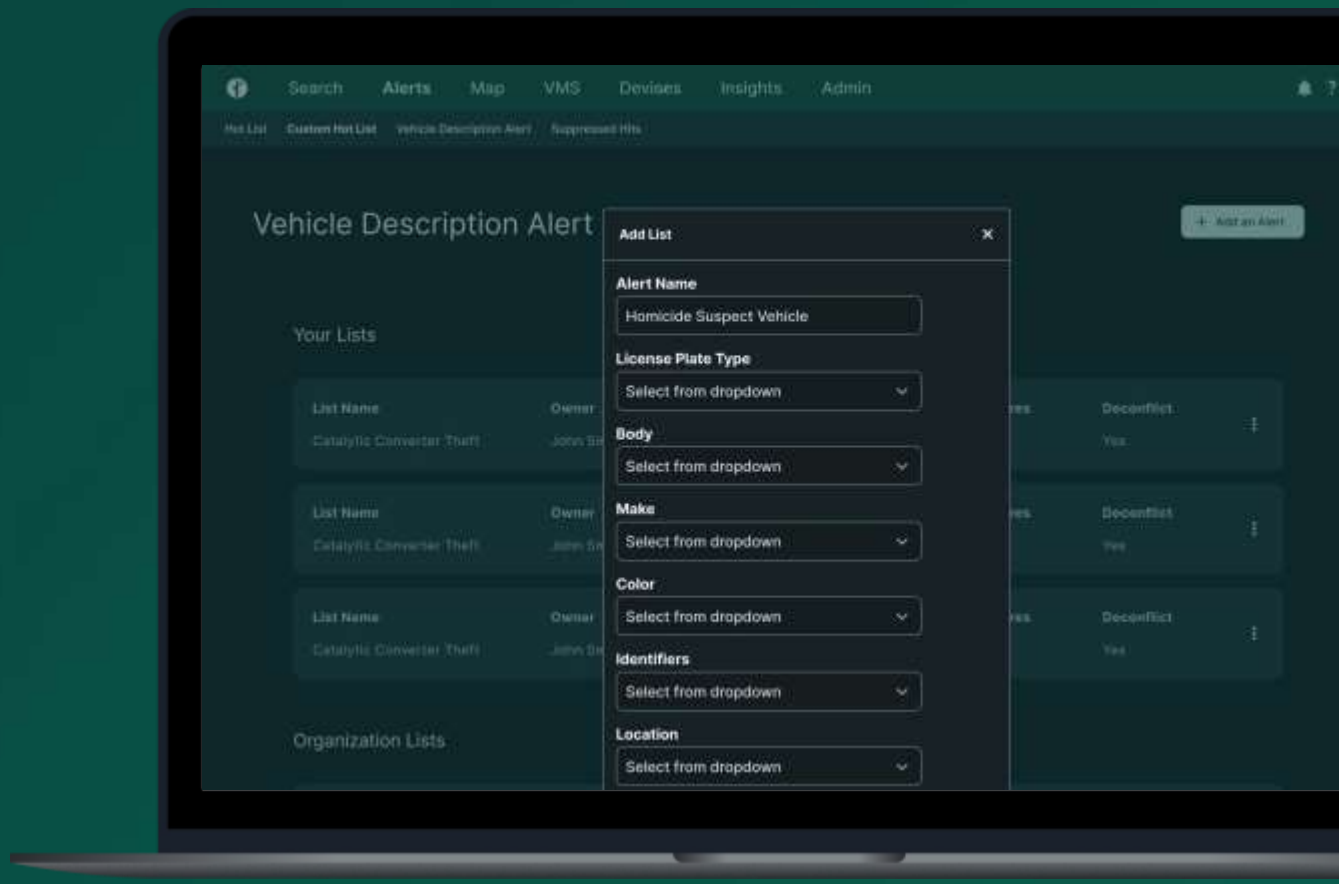
flock safety

No plate? No problem with Flock's Vehicle Fingerprint Technology™

Create real-time alerts based even when you don't have full plate information. Create a hot list alert based on unique vehicle criteria, time, and location.

INCLUDING

- Vehicle make
- Body type
- Color
- Decals
- Bumper stickers
- Back racks
- Top racks
- License plates
  - Partial tags
  - Missing tags
  - Temporary tags
  - State recognition



Deployment Plan

- Five Falcon STD LPR Cameras
- Annual cost of $3000 per camera
- Grant Funding vs. Town Funding
- Located at key entrance points or problem spots
- Capture Rear License Plate & Vehicle Info
- Check Vehicle Against Alerts, Hot Lists, Etc.
- Data Kept for 21 days per Virginia Law
- Data Only Shareable with VA LEAs per Virginia Law

Community Engagement

- Online Transparency Portal
  - Department's Objective
  - Explanation of Policies Driving the Use
  - Data on the Usage of the Technology
    - Data Retention Period
    - Number of Cameras
    - # of Vehicle Detected
    - # of "Hits"
    - # of Searches
  - Additional Information the Agency Wants to Share
- Culpeper Police Transparency Portal: https://transparency.flocksafety.com/culpeper-va-pd-

Local Success Stories

- **Culpeper Police**
  - **November 27, 2023 – Maryland duo (male & female) arrested for Eluding, Shoplifting warrants (retail theft ring), and other charges after Flock notification. Wanted by Culpeper Police, Prince William County Police, and Stafford County S.O.**
  - **May 4, 2025 – Recovery of Stolen Vehicle & Arrest of Adult w/ Outstanding Felony Warrant**
  - **May 23, 2025 – Flock ALPR notification of a missing endangered adult who just entered Town of Culpeper. Reunited safely w/ family**
  - **June 16, 2025 – Recovery of Stolen Vehicle & Arrest of Adult for Possesion of Stolen Goods, Possession of Controlled Substance, and Driving w/o License**
  - **August 27, 2025 – Flock used to identify a suspect vehicle, locate and arrest three subjects involved in a residential robbery & abduction in Orange County**

EXPERIENCE WARRENTON VIRGINIA EST. 1810

Questions?

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9th, 2025
Agenda Title:	Emergency Management Agency Designation & Updates
Requested Action:	Receive the information
Department / Agency Lead:	Office of Emergency Management
Staff Lead:	Frank Cassidy, Town Manager / Johnny Switzer, EM Coordinator

EXECUTIVE SUMMARY

The Town of Warrenton, Virginia, recognizes the importance of proactive emergency management and, in 2020, established an Office of Emergency Management to address potential hazards and protect its citizens.

The Virginia Department of Emergency Management has officially recognized the Warrenton Emergency Management Agency as an independent Office of Emergency Management, separate from the county. The office originated during the COVID-19 pandemic and was formally created by Ordinance 2022-11 in July 2022. This new designation as an independent emergency management jurisdiction was approved by the Virginia Department of Emergency Management (VDEM) on April 22, 2025. The town is now responsible for its own comprehensive emergency management program in accordance with the Code of Virginia, Title 44. The town will continue to work with VDEM, specifically the Region 2 team, for support. Key benefits of this designation include a more robust program, enhanced coordination, access to funding, and training opportunities

BACKGROUND

The Town of Warrenton's Office of Emergency Management was created in December 2020 in response to the COVID-19 pandemic. It was officially established as an agency of emergency management for the town by Ordinance 2022-11 at the July 12, 2022, Town Council Meeting. The office operates under the Commonwealth of Virginia Emergency Services and Disaster Law of 2000. Town Manager Frank Cassidy serves as the Director of Emergency Management, and he appointed Johnny Switzer as the Coordinator of Emergency Management on August 20, 2024.

A request for the Town of Warrenton to be recognized as an independent political subdivision for emergency management purposes was submitted to VDEM on February 4, 2025. This request was affirmed by VDEM's Acting State Coordinator, John J. Scrivani, on April 22, 2025. The town is now an independent emergency management jurisdiction, and the Region 2 team of VDEM will be the primary point of contact for the state.

STAFF RECOMMENDATION

Receive the Information

Service Level/Collaborative Impact

The establishment of an independent emergency management program allows the Town of Warrenton to create a more robust program with enhanced coordination and resilience. This change provides access to various VDEM systems, such as WebEOC and Crisis Track, as well as opportunities for training, exercises, and grants. The town has already begun a number of initiatives as an independent jurisdiction, including:

- **Public Assistance Application:** An application for Public Assistance from VDEM has been started due to the flash flooding event on July 17, 2025, which caused an estimated $109,250 in infrastructure damages. The documentation is due to VDEM by October 29, 2025.
- **Emergency Shelter Project:** The town has met with VDEM and the Red Cross to consider using the Aquatic and Recreation Facility (WARF) as an emergency shelter and has on-hand supplies for 25 people. The next steps are to consider a Red Cross Facilities Use Agreement and work with the Red Cross on staff training and standard operating procedures.
- **Continuity of Operations Plan (COOP):** The COOP was established in 2022 and was revised on April 22, 2025, to reflect the town's new standalone emergency management designation. The plan will be reviewed with the Town Council on September 9, 2025, and is anticipated to be adopted on October 14, 2025.
- **Columbia Gas Emergency Reimbursement:** A second request for reimbursement of $19,922.40 in staff costs related to the March 5, 2025 Columbia Gas Emergency was submitted on August 29, 2025.

Policy Direction/Warrenton Plan 2040

With the new designation, the Town of Warrenton must establish and maintain a comprehensive local emergency management program. Key policy directions include:

- **Appointments:** The council must confirm the appointments of Mr. Frank Cassidy as Director and Mr. Johnny Switzer as Coordinator of Emergency Management.
- **Alert System:** The establishment of an "ALERT WARRENTON" notification and emergency warning system is a priority.
- **Continuity of Operations Plan (COOP):** The town will need to review and adopt the 2025 COOP update.

Legal & Fiscal Impact

The legal basis for the Office of Emergency Management is rooted in Ordinance 2022-11 and is governed by the Commonwealth of Virginia Emergency Services and Disaster Law of 2000. As an independent emergency management jurisdiction, the town is now responsible for its own comprehensive program. The designation will provide access to funding opportunities and grants, as seen with the application for Public Assistance for the recent flash flooding event. The town has also submitted a second request for reimbursement for staff costs related to the Columbia Gas emergency. Confirmation of the Director and Coordinator appointments by the Town Council is required by the Code of Virginia.

Sources

ATTACHMENTS

A. VDEM Letter to Warrenton EM Designation Letter – Signed
B. 02/11/25 Council Meeting – EM Staff Report – COOP
C. ToW COOP – 09/2025 – Redacted
D. OEM COOP Memo
E. OEM Actions and Plans Memo
F. Ordinance 2022-11 – Chapter 20 – Emergency Management
G. Emergency Management Agency Designation & Updates Presentation
H. Red Cross - Town of Warrenton-Shelter-Facility-Owner-Pre-Survey-Form
I. Red Cross - Facility-Use-Agreement-Form-V7_2025-03-14
J. Pet Addendum to Facilities Use Agreement FUA-OGC-v2-OGC-update 04.30.2024
K. Red Cross – MOI
L. Warrenton Rec ON site survey

COMMONWEALTH OF VIRGINIA
Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

JOHN J. SCRIVANI
Acting State Coordinator

TO: Frank Cassidy, Town Manager/Director of Emergency Management
Johnny H. Switzer, Town of Warrenton Coordinator of Emergency Management

FROM: John J. Scrivani, Acting State Coordinator

DATE: April 22, 2025

RE: Designation of Emergency Management Organization

Director Cassidy,

I am pleased to inform you that the Virginia Department of Emergency Management (VDEM) has approved the Town of Warrenton's request to be recognized as an independent political subdivision solely for the purposes of emergency management, as defined in §44-146.16 of the Code of Virginia. This designation affirms the town's commitment to maintaining a robust and self-sufficient emergency management program in accordance with Title 44 of the Code of Virginia.

As an independent emergency management jurisdiction, the Town of Warrenton is now responsible for establishing and maintaining a comprehensive local emergency management program. In addition to maintaining the requirements for application, this includes, but is not limited to, the following requirements:

1. **Local Capability Assessment of Readiness (LCAR):** The Town of Warrenton must complete and submit the LCAR survey on or before August 1 of each year. VDEM regional staff will be available to provide assistance completing this survey if needed.

2. **Utilizing VDEM Systems:** The Town will be given access to VDEMs external reporting and communication systems including WebEOC and Crisis Track to support unified coordination during response and recovery.

3. **Annual Exercise After Action Review and Integrated Preparedness Planning Workshop (IPPW):** A representative from the Town of Warrenton's Office of Emergency Management will

attend the annual Region 2 including incident after action reviews.

4. **Compliance with Title 44:** As shown in the document provided with your request, the Town of Warrenton is committed to maintaining full compliance with all requirements and responsibilities imposed on political subdivisions under Title 44. The adoption of Chapter 20 of the Town Code, establishing the framework for a stand-alone EMA, demonstrates this commitment.

We commend the Town of Warrenton for its commitment to strengthening local emergency preparedness and resilience. As a political subdivision in VDEM Region 2, the Region 2 team will serve as your primary point of contact for the state and be available to support your town in preparing for, responding to, recovering from, and mitigating against the impacts of disasters. Please do not hesitate to reach out should you require any support developing and enhancing your program.

Congratulations on this important milestone. We look forward to working closely with you to enhance the safety and security of your community.

Sincerely,

John Scrivani

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	February 11, 2025
Agenda Title:	The Importance of Emergency Management at the Local Government Level
Requested Action:	Receive the information
Department / Agency Lead:	Office of Emergency Management
Staff Lead:	Johnny Switzer, EM Coordinator

EXECUTIVE SUMMARY

The Town of Warrenton, Virginia, recognizes the importance of proactive emergency management and in 2020 established an Office of Emergency Management to address potential hazards and protect its citizens.

The existence reflects a broader trend of communities nationwide developing dedicated emergency management structures. This commitment to preparedness is further solidified by the Town's Code of Ordinances, Chapter 20, which outlines the legal framework for emergency operations, defines roles and responsibilities during emergencies, and details procedures for hazard mitigation, preparedness, response, and recovery. This chapter serves as the legal foundation for the Office of Emergency Management's activities and ensures a coordinated and structured approach to handling emergencies within the town.

BACKGROUND

Local governments are the frontline responders and are primarily responsible for managing the response to and recovery from emergencies and disasters. Our ability to effectively mitigate, prepare for, respond to, and recover from these events is crucial for community safety and resilience. This responsibility falls on the Mayor and Town Council, Town Manager, and Emergency Management Coordinator, whose core duties are protecting their citizens.

Key Responsibilities of Local Governments in Emergency Management:

1. **Alerting and Warning the Public:** When an emergency is imminent, the local government's first priority is to promptly alert and warn citizens. This may involve using various communication channels like emergency alerts, social media, local news outlets, and even door-to-door notifications.
2. **Mitigation and Preparedness:** Beyond immediate response, local governments play a vital role in mitigating the impact of future disasters. This includes:
    - **Hazard Identification and Risk Assessment:** Identifying potential hazards (e.g., floods, earthquakes, wildfires) and assessing their risks to the community.
    - **Developing Emergency Plans:** Creating comprehensive plans that outline procedures for various emergencies, including evacuation plans, resource allocation, and communication strategies.
    - **Public Education and Outreach:** Educating citizens about potential hazards, emergency preparedness measures, and how to stay safe during a disaster.
    - **Infrastructure Improvements:** Investing in infrastructure improvements that can withstand potential disasters (e.g., flood control systems, earthquake-resistant buildings).
3. **Emergency Response:** When a disaster strikes, local governments coordinate the immediate response, which typically involves:
    - **Deployment of First Responders:** Dispatching fire and police units, emergency medical personnel, and rescue workers to affected areas.
    - **Search and Rescue Operations:** Conducting search and rescue operations to locate and assist individuals in danger.
    - **Providing Emergency Medical Care:** Establishing temporary medical facilities and providing emergency medical care to injured individuals.
    - **Ensuring Public Safety and Security:** Maintaining public order, preventing looting, and securing affected areas.
4. **Recovery Efforts:** After the initial response, the focus shifts to recovery, which is a long-term process that includes:
    - **Restoring Essential Services:** Working with public and private utility companies to restore vital services such as water, power, communications, transportation, shelter, and medical care.
    - **Debris Removal:** Clearing debris and making affected areas safe for re-entry.
    - **Providing Assistance to Individuals and Families:** Coordinating with voluntary agencies to provide food, shelter, and other assistance to individuals and families in need.
    - **Rebuilding Infrastructure:** Repairing and rebuilding damaged infrastructure, including roads, bridges, and public buildings.

- **Economic Recovery:** Supporting local businesses and helping the community recover economically.

Importance of Effective Local Emergency Management:
The effectiveness of local emergency management directly impacts the safety and well-being of citizens. A well-prepared and responsive local government can:

- **Save Lives:** Prompt warnings, efficient rescue operations, and effective medical care can significantly reduce the number of casualties.
- **Minimize Property Damage:** Mitigation efforts and preparedness measures can help reduce the extent of property damage.
- **Speed Up Recovery:** A well-coordinated recovery plan can help the community return to normalcy more quickly.
- **Build Community Resilience:** Effective emergency management fosters community resilience, enabling the community to better withstand and recover from future disasters.

In conclusion, the Town government is the cornerstone of emergency management for our community. Our ability to effectively mitigate, prepare for, respond to, and recover from emergencies is essential for protecting lives, minimizing damage, and ensuring the well-being of our communities. Investing in and prioritizing local emergency management is a critical responsibility for local elected officials.

STAFF RECOMMENDATION

Receive the Information

Service Level/Collaborative Impact

The Warrenton Office of Emergency Management (OEM) provides a vital service to the community, enhancing its resilience and safety through a comprehensive approach to emergency preparedness and response. Their collaborative impact is felt across all phases of emergency management:

- Mitigation: The OEM works proactively to identify and mitigate potential hazards, reducing the community's vulnerability to disasters. This translates to a safer environment with fewer risks.
- Preparedness: Through public education, outreach programs, and the development of comprehensive emergency plans, the OEM empowers residents to prepare themselves and their families for potential emergencies. This leads to a more informed and self-sufficient community, better equipped to handle crises.
- Response: In the event of an emergency, the OEM coordinates the immediate response, ensuring the swift deployment of first responders and the efficient delivery of essential services. This rapid and organized response minimizes the impact of disasters and saves lives.
- Recovery: The OEM facilitates the community's recovery from disasters, coordinating with various agencies and organizations to restore essential services, provide assistance to affected residents, and rebuild infrastructure. This support helps the community return to normalcy as quickly as possible.

The OEM's collaborative approach involves working closely with other town departments, neighboring jurisdictions, volunteer organizations, and the community itself. This network of partnerships strengthens the town's overall emergency management capabilities and ensures a coordinated and effective response to any crisis. Ultimately, the Warrenton OEM's service and collaborative impact contribute to a safer, more prepared, and more resilient community for all its residents.

Policy Direction/Warrenton Plan 2040

The Office of Emergency Management (OEM) plays a crucial role in realizing the vision outlined in Warrenton Plan 2040, contributing directly to several key themes and goals. The OEM's services and collaborative impact align with the comprehensive plan in the following ways:

- CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for the responsiveness, community trust, and effectiveness:
    - Warrenton Plan 2040 prioritizes the safety and well-being of our residents. The OEM directly supports this goal by proactively mitigating risks, preparing the community for emergencies, and ensuring a swift and effective response to disasters. Our efforts contribute to a safer environment where residents feel secure.

- CF-5: To provide a fiscally responsible infrastructure that maintains a high quality of life for residents, supports current businesses, and attracts new employers with a stable tax structure:
    - A key component of Warrenton Plan 2040 involves developing and maintaining resilient infrastructure. The OEM's work in hazard mitigation and recovery directly supports this goal. By identifying vulnerabilities and coordinating infrastructure restoration after a disaster, the OEM helps ensure the long-term viability of Warrenton's infrastructure.

- P-1: Preserve, enhance, and protect the environmental, scenic, and natural quality of the Town:
    - Warrenton Plan 2040 emphasizes environmental sustainability. The OEM's involvement in preparing for and responding to natural disasters, such as floods or wildfires, is crucial for protecting the environment and preserving natural resources. Our work helps minimize the environmental impact of disasters and supports a sustainable community.

- E-1: Grow a strong, diversified, and resilient economy that supports residents and businesses alike:
    - Disasters can have significant economic impacts. The OEM's efforts to prepare for, respond to, and recover from emergencies contribute to economic vitality by minimizing disruptions to businesses and supporting a swift return to normal operations. A resilient community is a more attractive location for businesses and residents.

- T-3: Promote Livability in the Town by Creating Great Places Where Residents and Visitors Feel Welcome and Safe:
    - Warrenton Plan 2040 stresses the importance of community engagement and collaboration. The OEM's collaborative approach, working with other town departments, neighboring jurisdictions, volunteer organizations, and the public, directly reflects this principle. By fostering strong partnerships, the OEM strengthens the entire community's ability to prepare for and respond to emergencies.

In essence, the Warrenton OEM is a vital partner in implementing Warrenton Plan 2040. Our focus on mitigation, preparedness, response, and recovery directly supports the plan's overarching goals for a safe, resilient, sustainable, and thriving community. The OEM's work ensures that Warrenton is not only prepared for the challenges of today but also positioned to achieve its long-term vision for the future.

Fiscal Impact

None were identified at this time.

Legal Impact

Our robust emergency management program significantly mitigates the town government's legal, financial, and reputational risks. By proactively planning for and preparing for disasters, the Town has reduced our vulnerability to negligence lawsuits stemming from inadequate responses.

- Compliance with state and federal mandates, including those related to disaster assistance and accessibility, is ensured, avoiding legal challenges and securing access to vital funding.
- Addressing the needs of all community members in emergency planning mitigates potential civil rights violations and fosters equitable outcomes.
- Our well-defined program enhances the efficiency and effectiveness of disaster response, minimizing costs and maximizing resource utilization.

Finally, demonstrating a commitment to preparedness strengthens public trust, protects the Town government's reputation, and fosters community resilience, mitigating the long-term social and economic impacts of disasters.

ATTACHMENTS

A. Office of Emergency Management Actions and Plans Memo
B. Winter Storm Blair After Action Report
C. Office of Emergency Management COOP Memo

Town of Warrenton, VA

CONTINUITY OF OPERATIONS PLAN

Frank Cassidy
Town Manager

September 2025

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SECURITY AND PRIVACY STATEMENT

Public disclosure of this document would have a reasonable likelihood of threatening public safety by exposing vulnerabilities. It contains sensitive and confidential information not subject to FOIA under Virginia Code §2.2-3705.2 (14). Accordingly, the Town of Warrenton withholds this Plan from full public disclosure. Refer any request for a copy of this document to the town FOIA officer.

PROMULGATION STATEMENT

The Town of Warrenton's mission is to provide public safety, economic opportunity, and quality public services in an attractive, well-planned community with historic character for the benefit, enjoyment, and accessibility of all. All essential departments must ensure their operations are performed with minimal disruption during all-hazards emergencies or other situations that disrupt normal operations to accomplish this mission. This document provides planning and program guidance for implementing the Town of Warrenton Continuity Plan and Continuity Program to ensure the agency can conduct its mission essential functions (MEFs) under all threats and conditions. The agency is committed to the safety and protection of its personnel, contractors, operations, and facilities. This Continuity Plan is a recovery plan that works as a companion plan with the Town of Warrenton Emergency Operation Plans (EOP), the Information Technology Disaster Recovery Plan (ITDRP), the Rappahannock Rapidan Regional Hazard Mitigation Plan, and the Fauquier County Emergency Operations Plan (EOP), and provides a framework to minimize potential impact and allow for rapid recovery from an incident that disrupts operations. This Plan encompasses the magnitude of operations and services performed by the Town of Warrenton and is tailored to the Town's unique operations and MEFs.

This Plan identifies key personnel that perform or manage the performance of MEFs. Upon plan activation, key personnel will be notified and assume responsibility for implementing the Plan per the guidance provided by the Town Manager or his/her designee. Essential personnel should be prepared to implement the Continuity Plan and perform MEFs within the established recovery time objectives for a period of up to 30 days or until normal operations can be resumed.

The Town of Warrenton prepared this Continuity Plan to develop, implement, and maintain a viable continuity capability. In accordance with section 44-146.19(E) of the Code of Virginia, and section 20-4 of the Warrenton Town Code, this Plan complies with applicable internal agency policy, and state regulations, and supports recommendations provided in FEMA's Continuity Guidance Circular 1 (CGC 1) and Continuity Guidance Circular 2 (CGC 2). This Continuity Plan has been distributed internally to appropriate personnel within the Town of Warrenton and external organizations that might be affected by its implementation.

APPROVALS
Pursuant to Code of Virginia § 44-146.19(E)

_____
Carter Nevill, Mayor

_____
Frank Cassidy, Town Manager

_____
Martin Crim, Town Attorney

_____
Johnny Switzer, EM Coordinator

RECORD OF CHANGES

Submit recommended changes to this document to the Office of the Town Manager:

Change Number	Copy Number	Date Entered	Posted By

PUBLICATION AND DISSEMINATION

The agency Continuity Plan will be distributed to executive leadership and key personnel within the agency and others. Requests for additional copies of this Plan or notification of updates should be directed to the Office of the Town Manager.

Continuity Plan Distribution List

Name	Title	Agency or Organization	Date Issued	Date Returned	Number of Copies
John Scrivani	State Coordinator of Emergency Management	Virginia Department of Emergency Management			1
Alexa Boggs	Region 2 Chief Regional Coordinator	Virginia Department of Emergency Management			1
Janelle Downes	Fauquier County Administrator	Fauquier County			1

COOP TEAM MEMBERS & ESSENTIAL PERSONNEL

COOP Team Designation	Incumbent	All Phones	Email
Senior Administration	Frank Cassidy, Town Manager	Work: (540) 347-1101 [redacted]	fcassidy@warrentonva.gov
Emergency Management	Johnny Switzer, Emergency Management Coordinator	Work: (540) 680-9538 [redacted]	jswitzer@warrentonva.gov
Public Works	John Ward Public Works Director	Work: (540) 347-1101 [redacted]	fcassidy@warrentonva.gov
Public Utilities	Steven Friend Public Utilities Director	Work: (540) 351-4908 [redacted]	sfriend@warrentonva.gov
Law Enforcement	Timothy Carter, Chief of Police	Work: (540) 347-1107 [redacted]	tcarter@warrentonva.gov
Community Development	Rob Walton, Director of Community Development	Work: (540) 347-1101 [redacted]	rwalton@warrentonva.gov
Finance	Stephanie Miller, Deputy Town Manager & Finance Director	Work: (540) 347-1101 [redacted]	smiller@warrentonva.gov
Information Technology	Jonathan Stewart, Director of Information Technology	Work: (540) 428-2025 [redacted]	jstewart@warrentonva.gov

COOP Team Designation	Incumbent	All Phones	Email
Human Capital	Kasey Braun, Director of Human Capital	Work: (540) 347-1101 [redacted]	kbraun@warrentonva.gov
Parks and Recreation	Kelly Koernig, Director of Parks and Recreation	Work: (540) 349-2520 [redacted]	kkoernig@warrentonva.gov
Communications	Lyndie Paul Communications Manager	Work: (540) 351-4173 [redacted]	lpaul@warrentonva.gov
Risk Management	Dennis Merz, Risk Manager	Work: (540) 341-9668 [redacted]	dmerz@warrentonva.gov

EXECUTIVE SUMMARY

A Continuity of Operations Plan, or COOP, is an important part of emergency planning and provides a way for organizations to ensure that they are able to continue providing essential functions in the event of a variety of different emergencies that could interrupt the normal operating environment.

It is expected and necessary for the Town of Warrenton to respond quickly in the event of an emergency or threat resulting from a variety of causes such as those that are human, natural, or technological in nature in concert with other agencies. It is for these reasons that the Town of Warrenton has created and adopted this COOP. This plan not only identifies essential functions but also outlines what would need to be done in the three phases of operation—Activation and Relocation, Alternate Facilities Operations, and Reconstitution. This plan also incorporates the following elements that are associated with continuity planning:

- Delegations of authorities that would be needed in an emergency situation;
- Essential Functions and Non-Essential Functions;
- Vital equipment, systems, files, and records that would be needed in an emergency;
- Any alternate facilities that could be used for operations.

The Primary and Secondary COOP Program Managers are listed in the table below with specific contact information included. The Program Managers will coordinate continuity of operations and are responsible for managing all activities to continue essential functions during a situation that disrupts the normal operating environment.

COOP Program Manager Information		
	Name and Position	**Contact Information**
Primary COOP PM	Frank Cassidy Town Manager	Work: (540) 347-1101 [redacted]
Secondary COOP PM	Johnny Switzer Emergency Management Coordinator	Work: (540) 680-9538 [redacted]

INTRODUCTION

To the best of their ability, local governments must be prepared to respond to all types of emergencies and disasters within their jurisdictions to save lives; protect the public welfare, protect property, maintain essential communications, ensure business continuity, and restore essential public services. Since September 11, 2001, many localities have become acutely aware of the degree to which emergencies and disasters can disrupt or obliterate their ability to preserve government institutions and perform essential functions.

The Town Manager has deemed that the Town must establish and implement a Continuity of Operations (COOP) Plan. This Plan is designed to develop ways to preserve, maintain, or reconstitute the agency's ability to function in the event of a threat or an emergency.

The Town of Warrenton COOP Plan has been developed to aid the government in a technical, natural, or intentional disaster that disrupts government operations. The Plan presents a framework for management, establishes procedures to support essential functions, and guides the restoration of normal operations after the emergency. The Plan provides for restoring operational capacity within 12 hours and sustaining operations for 30 days or longer in a catastrophic event or national security emergency.

PURPOSE

This COOP Plan summarizes how Town departments and offices will continue to perform essential functions when an emergency threatens or disturbs their operations. This document outlines lines of succession; provides for the maintenance and re-establishment of authority; provides for the relocation of key personnel if needed; reconstitutes the key staff positions with successor personnel, and provides restoration of Town government functionality. This Plan should be utilized in concert with the Town of Warrenton and the Fauquier County Emergency Operations Plan (EOP). The basic elements of a viable COOP Plan include the following:

- Essential Functions;
- Lines of Succession;
- Delegations of Authority;
- Alternate Facilities;
- Vital Files, Databases and Records;
- Administration and Logistics;
- COOP Plan Implementation Procedures;
- Personnel Issues;
- Communications; and
- Training and Exercises.

APPLICABILITY AND SCOPE

This Plan is designed to effectively minimize system outages and downtimes while providing the highest possible level of personnel services until normal operations fully resume. It is also intended to facilitate the response and recovery process. This document applies to a full range of circumstances, from a short-term event that affects only one building or location to an extended regional emergency that impacts all of the Town's departments and functions.

OBJECTIVE

The objective of COOP Planning is to guide appropriate actions to ensure the capability exists to continue core business functions and achieve an orderly recovery from emergencies across a wide range of potential incidents—including acts of nature and human-made emergencies.

The objectives of this COOP Plan include:

- Ensuring continuous performance of a department's essential functions during an emergency;
- Protecting essential facilities, equipment, and records;
- Reducing or mitigating disruption of operations;
- Reducing, assessing, and minimizing damage and loss;
- Identifying alternate locations where operations can be reconstituted in an emergency;
- Activating and sustaining essential operations within a 12-hour period for up to 30 days; and
- Achieving a timely and orderly reconstitution of operations.

COOP ACTIVATION EVENTS

A variety of events could create conditions in the County that would require activation of the COOP Plan. This could be a Town-wide event involving the entire government, or it could be an event that impacts only a few agencies or departments. These events can be categorized as follows:

- Infrastructure;
- Mass Casualty/Mass Fatality Incident; and
- Workforce/Workplace.

Numerous events can disrupt the infrastructure. These events may involve loss of electrical power, loss of water, interruption in commodity availability, and technology failure. The Town has experienced utility disruptions in the past caused by weather events such as hurricanes, tornadoes, thunderstorms, and snowstorms.

A Mass Casualty/Mass Fatality Incident, such as a pandemic or widespread illness, could severely impact the Town workforce. These events can be caused by a naturally occurring disease like influenza or caused by terrorism, such as a biological release. These types of events could cause widespread death and illness, impacting the Town population and workforce.

Numerous types of other natural disasters can destroy or significantly affect the workforce. Other possible triggers include workplace contamination, flooding, HAZMAT incidents, or fire.

These types of events could impact the Town, as well as the county, region, state, or country.

CONCEPT OF OPERATIONS

A COOP Response is activated at the following levels:

Level I: A Level I COOP Response is for an anticipated event that requires monitoring for situational awareness. This response would be activated for an actual or anticipated event that may have an adverse impact for up to 12 hours on any portion of the local government. This level does not require any specific response beyond what is available using existing resources.

Level II (Stand-by): A Level II COOP Response is for an event that causes a temporary reduction or change in operations; an actual or anticipated event estimated to have a minimal impact on operations for 12 to 72 hours and may require assistance beyond what resources are generally available. This may be when Town departments/offices are preparing for any incident that might prevent Town facilities from opening for normal operations. This situation may require moving to a temporary location to continue to meet essential functions.

Level III (Partial Implementation): A Level III COOP Response is for an actual event estimated to disrupt the operations of one or more essential functions or impact vital systems for more than three days. The event may require deploying a small force of mission essential personnel from departments or offices to their COOP sites to initiate operations to support an actual full-scale COOP implementation.

Level IV: A Level IV COOP Response is for an event with a significant or long-term impact on the workforce or workplace. This event may be widespread and significantly disrupt operations that impact multiple vital systems. An example would be a major fire at Town Hall that causes significant damage to the building and destroys records and equipment.

Level of Emergency	Category	Impact on Local Government	Decisions
I	Alert	An actual or anticipated event might have an adverse impact of up to 12 hours on any portion of the local government but does not require any specific response beyond what is ordinarily available.	[redacted]
II	Stand-by	An actual or anticipated event is estimated to have minimal impact on operations for 12 to 72 hours that may require assistance beyond what is ordinarily available.	[redacted]
III	Partial Implementation	An actual event is estimated to disrupt the operations of one or more essential functions or impact vital systems for more than three days.	[redacted]

IIII	Full Implementation	An actual event that significantly disrupts the operations of three or more essential functions or to the entire department that impacts multiple vital systems for more than seven days.	[redacted]

COOP IMPLEMENTATION

The Town of Warrenton COOP Plan can be implemented in a variety of ways. Once the event's impact is assessed, Town departments and offices may activate the plan to continue providing essential services. Once the determination has been made to implement COOP plans, each department and agency affected must ensure that their essential functions continue. A sample COOP Implementation Checklist is provided on the next page.

UNANTICIPATED EMERGENCIES

Some threats to operations may provide advanced warning, which permits the orderly alert, notification, evacuation, and relocation of employees, if necessary. A warning may not precede other incidents. These incidents may or may not occur during regular operating hours. If the incident occurs during normal working hours, it may require the evacuation of all personnel from the threatened area. Essential or response personnel will deploy to their pre-assigned duty stations within 12 hours to maintain essential functions as the COOP Plan dictates. If the incident occurs after hours, activation of the COOP Plan will trigger each department director, working with their COOP teams, to activate call-down rosters and notify COOP relocation teams to report for duty.

WIDESPREAD vs. LOCAL EMERGENCIES The distinction between a widespread and local emergency is based upon assessing the event's impact on a department or geographic area. Generally, if an event impacts a significant number of people or impacts a large enough geographic location, the event is considered widespread. Localized events are usually limited to a smaller geographic area or one department, agency, or office.

COOP IMPLEMENTATION CHECKLIST

Implementation of the COOP Plan is based upon three phases of operation: activation and relocation, alternate facility operations, and reconstitution of services. The checklist below provides a basic outline of actions to implement the Plan.

ITEM	TASK	TASK ASSIGNED TO	DATE & TIME COMPLETED
Activation and Relocation			
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		

ITEM	TASK	TASK ASSIGNED TO	DATE & TIME COMPLETED
Activation and Relocation			
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
☐	[redacted]		
Alternate Facility Operations			
☐	[redacted]		
☐	[redacted]		

[redacted]	[redacted]		
[redacted]	[redacted]		

ITEM	TASK	TASK ASSIGNED TO	DATE & TIME COMPLETED
Activation and Relocation			
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		

[redacted]	[redacted]		

ITEM	TASK	TASK ASSIGNED TO	DATE & TIME COMPLETED
Reconstitution			
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
ITEM	**TASK**	**TASK ASSIGNED TO**	**DATE & TIME COMPLETED**
Reconstitution			
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		
[redacted]	[redacted]		

Continuity Implementation Responsibilities

Position	Responsibility
Town Manager	• Provide strategic leadership and overarching policy direction for the Continuity Program. • Implement the Continuity Plan when necessary or when directed to by a higher authority. • Consult with and advise appropriate officials during the implementation of the Continuity Plan. • Oversee and coordinate activities between the Continuity Coordinator and Reconstitution Manager.
COOP Coordinator	• Coordinate the implementation of the Continuity Plan and initiate appropriate notifications to internal and external contacts. • Work closely with the Reconstitution Manager to ensure a smooth transition from continuity operations to reconstitution operations.
Finance & Human Capital	• Be prepared to deploy and support the performance of the Town's MEFs in the event of a Continuity Plan implementation. • Ensure that family members are prepared for and taken care of in an emergency.
Public Works Director	• Coordinate and oversee the reconstitution process. • Ensure that all facilities can support the performance of MEFs. • Develop a time-phased plan to ensure that functions are restored in a manner that minimizes downtime. • Work closely with the senior leadership and Town Manager to ensure a smooth transition from continuity operations to reconstitution operations.
Town Employees	• Monitor town communications for guidance or instructions during the event. • Know and understand their roles in a continuity environment. • Ensure that family members are prepared for and taken care of in an emergency situation.

ORDER OF SUCCESSION

Pre-identifying order of succession is critical to ensuring effective leadership during an emergency. In the event an incumbent is incapable or unavailable to fulfill his/her essential duties, successors have been identified to ensure there is no lapse in executive leadership. Authority shall return to the Town leader when the Town leader is capable of resuming essential duties or a permanent replacement has been chosen in accordance with Town policy. The Town of Warrenton's order of succession and method of notification to personnel are:

Position	Notification Method	Successor #1	Successor #2	Successor #3
Town Manager	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Emergency Manager	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Finance Director	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Community Development Director	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Information Technology Director	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Communications	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Police Chief	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Public Works Director	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Public Utilities Director	Email / Cell Phone	[redacted]	[redacted]	[redacted]
WWTP Superintendent	Email / Cell Phone	[redacted]	[redacted]	[redacted]
WTP Superintendent	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Facility & Fleet Manager	Email / Cell Phone	[redacted]	[redacted]	[redacted]

Position	Notification Method	Successor #1	Successor #2	Successor #3
Parks & Recreation Director	Email / Cell Phone	[redacted]	[redacted]	[redacted]
Human Capital Director	Email/Cell Phone	[redacted]	[redacted]	[redacted]

ESSENTIAL PERSONNEL

The Town of Warrenton will follow the National Conference of State Legislature's definition of essential personnel. This is defined as "those who conduct a range of operations and services that are typically essential to continue critical infrastructure operations."

In accordance with the Cybersecurity and Infrastructure Security Agency (CISA), under the U.S. Department of Homeland Security (DHS) ***Guidance on the Essential Critical Infrastructure Workforce, Version 4.1***, it has been identified that the following Town department personnel are deemed essential within the Town's critical infrastructure operations:

Law Enforcement, Public Safety, and Other First Responders *"Public, private, and voluntary personnel (front line and management, civilian and sworn) in emergency management, law enforcement, fire and rescue services, emergency medical services, and security, public and private hazardous material responders, air medical service providers (pilots and supporting technicians), corrections, and search and rescue personnel."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
Police Department: • Sworn Law Enforcement • Senior Administrative Assistant		**Police Department:** • Records Clerk • Accreditation Manager
Community Development: • Building / Fire Official		
• **Emergency Management Coordinator**		

Public Works *"Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water, and sewer main breaks, fleet maintenance personnel, traffic signal maintenance, emergency location services for buried utilities, and other emergent issues."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
• Director of Public Works • Senior Administrative Assistant • Landscaping Crew • Streets Crew • Fleet & Facilities Personnel	• Project Coordinator	

Public Utilities *"Workers needed to operate and maintain drinking water, wastewater, and drainage infrastructure."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
• Director of Public Utilities • All Water Treatment Plant Personnel • All Wastewater Treatment Plant Personnel • Stormwater Inspector • Meter Personnel • Utility Maintenance Workers • Senior Administrative Assistant	• Engineer* • Stormwater Administrator* **As applicable to an emergency status.*	• GIS Technician

Infrastructure Support Systems *"Workers who support the operations and maintenance of parks and outdoor recreational facilities."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
Parks & Recreation: • Director of Parks & Recreation • Facility Operations Manager • Special Events Program Coordinator • Operations & Contracts Technician • Recreation Building Engineer • Maintenance Workers • Customer Services Staff • Aquatics Coordinator • Aquatics Supervisor • Aquatic Staff	**Parks & Recreation:** • Fitness Supervisor	**Parks & Recreation:** • Fitness Instructor

Communications *"External Affairs personnel to assist in coordinating with local, state, and federal officials to address communications needs."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
• Communications Manager	• Marketing Coordinator	

Information Technology (IT) ➢ *"Workers supporting communications systems, information technology, and work-from-home solutions used by law enforcement, public safety, medical, energy, public works, critical manufacturing, food and agriculture production,* ➢ *financial services, in-person and remote education, and other critical industries and businesses."* ➢ *"Workers required for technical support crucial for business continuity and connectivity."* ➢ *"Workers who support client services, field engineers, and other technicians and workers support critical infrastructure."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
• Director of IT • Network Engineer	• Help Desk Specialist • AV Help Desk Specialist • System Engineer	• IT Administrator

Financial Services *"Workers who are needed to provide, process, and maintain systems for processing, verification, and recording of financial transactions and services."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
• Director of Finance & Procurement	• Accounts Payable CoordinatorSenior Revenue & Collections Manager • Customer Service Specialist • Payroll Coordinator • Procurement Coordinator • Tax Administrator*	Budget Manager

Government Based Operations ➢ *"Workers who support administration and delivery of employment services and benefits programs."* ➢ *"Workers who support administration and delivery of disaster assistance, insurance, and workers compensation programs."* ➢ *"Workers who support essential maintenance and construction of essential services."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
Town Managers Office: • Town Manager	**Town Managers Office:** • Town Clerk • Mayor & Town Council • TM Executive Assistant	
Human Capital: • Director of HC • Risk Management	**Human Capital:** • HC Generalist	
Facilities: • All Personnel		

Residential/Shelter Facilities, Housing and Real Estate, Related Services *"Workers supporting government functions related to the building and development process, such as inspections, permitting, and plan review services."*		
EO: Essential, On Site	**ER: Essential, Remote**	**NE: Non-Essential**
Community Development: • Director of Community Development	**Community Development:** • Planner Personnel* • Zoning Personnel* **As applicable to an emergency status.*	**Community Development:** • Permit Technicians* • Zoning Personnel* • Code Enforcement Officers* • Visitor Center Specialist **As applicable to an emergency status.*

Call-Back Positions *"Irregular working hours performed by an employee on a day when no work is schedules or at a time which requires the employee to return to the place of employment from an off-duty status."*			
Town Operations: • Town Manager • Emergency Management Coordinator • Risk Manager • Building / Fire Official • IT Director & IT Designated Personnel	**Police Department:** • Sworn Law Enforcement	**Public Works:** • Director of Public Works • Landscaping Crew • Streets Crew • Facilities Personnel • Fleet Personnel	**Public Utilities:** • Director of Public Utilities • All Water Treatment Plant Personnel • All Wastewater Treatment Plant Personnel • Stormwater Inspector • Meter Personnel • Utility Maintenance Workers
Parks & Recreation (Sheltering): • Director of Parks & Recreation • Facility Operations Manager * • Operations & Contract Technician * • Recreation Building Engineer * • Aquatics Coordinator * • Aquatics Staff (3 minimum) * **As applicable to an emergency status.*			

CONCEPT OF OPERATIONS

A continuity plan must be maintained at a high level of preparedness and be ready to be implemented without prior warning. As such, the Town of Warrenton has developed a concept of operations that describes the Continuity Plan's implementation.

This Plan can be fully implemented within established recovery time objectives and capable of sustaining operations for up to 30 days or until normal operations can be resumed.

Phase 1- Preparedness

The Town of Warrenton participates in the full spectrum of readiness and preparedness activities to ensure the agency can continue to perform MEFs in an all-hazard risk environment. This is accomplished through various means, including the use of professional go-kits by key personnel, regular training and exercises of the Continuity Plan (outlined in the Training and Exercise Section of this document), the development of human capital management policies that support agency staff, and monitoring of government intelligence reports or notices by executive leadership.

Professional Go-kits:

Town of Warrenton's key personnel and executive leadership have the responsibility to create and maintain go-kits. Go-kits should include standard operating procedures, emergency plans, operating orders or regulations, and other relevant guidance. Other documents and materials that might be included in a go-kit include:

- Continuity Plan
- Current contact list of key personnel, external partners and vendors
- General office supplies
- Backup communication devices if available.
- Manual work-around procedures for performing MEFs
- Compact discs or thumb drives
- Critical equipment inventory
- Directions to the alternate facility and a current floor plan

- Alternate facility contact information and/or keys or access cards

Human Capital Management:

The Town of Warrenton's key personnel should cross-train back-up personnel capable of performing MEFs. Frequency of cross-training shall be at the discretion of the Division or Section Manager, but should occur as often as necessary to ensure proficiency of MEF performance. All cross-training should be documented.

Teleworking is recognized as an alternative method to perform some agency MEFs during a continuity event. Therefore, key personnel may be authorized to telework during activation of the Continuity Plan at the discretion of the department or division manager. Regulations outlined in the agency telework policy shall be adhered to at all times.

During activation of the Continuity Plan, the Town of Warrenton will attempt to contact and account for all agency staff. Additionally, the agency will provide human capital management guidance to employees (pay, leave, staffing, work expectations and other human capital policies) and assist the Continuity Coordinator with other staffing related matters.

Agency personnel should develop a family support plan to increase personal and family preparedness. To develop a family support plan, use the templates available at http://www.vaemergency.com/ReadyVirginia.

Phase 2- Activation and Notification

The following matrices are intended to serve as an implementation guide. It is important to note that while an effort has been made to outline implementation levels and notification guidelines in these matrices, **they are a guide only** and do not limit the ability of Senior leadership to make decisions and take necessary actions in the event of an emergency.

Senior leadership will stay informed of the threat environment using all available means, including government intelligence reports or notices, national/local reporting channels, and media outlets. Activation decisions by Senior leadership will be made after evaluating all available information relating to:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

- [redacted]
- [redacted]
- [redacted]

In addition to the notifications outlined in the matrices, the following notifications may be required by the Continuity Coordinator or designee(s) within 12 hours of activation:

- [redacted]
- [redacted]
- [redacted]

Phase 3- Continuity Operations

Upon activation of the Continuity Plan during regular duty hours, key personnel will continue to perform MEFs if possible until ordered to cease operations by the department director. At that time, MEFs will transfer to the alternate facilities and/or be performed in the manner prescribed by the Town Manager.

If, during non-duty hours, the decision to transfer MEFs to the alternate facilities is made, previously designated key personnel may be required to arrive at the alternate facilities first to prepare the site. Upon arrival at the alternate facilities, these key personnel will:

- [redacted]
- [redacted]
- [redacted]
- [redacted]

If the decision to perform MEFs via telework or using a reduced workforce scenario is made, key personnel will:

- [redacted]

- [redacted]

During continuity operations, the Town of Warrenton may need to acquire additional personnel, equipment, and supplies on an emergency basis to sustain operations for up to 30 days or until normal operations can be resumed. The Town of Warrenton maintains the authority for emergency acquisition. Instructions for these actions are found in the current Purchasing and Procurement Manual.

Phase 4- Reconstitution

Individual Department Directors are responsible for initiating and coordinating operations to salvage, restore, and recover the Town of Warrenton's primary operating facilities, overseeing the repair or restoration of systems or equipment, and/or supervising the return to work of personnel. It should be noted that in certain circumstances, reconstitution to the primary operating facility may require approval from local, State, or Federal law enforcement or emergency service agencies.

During continuity operations, the Reconstitution Manager or designee must obtain the status of the facilities, systems, and/or workforce affected by the event. Upon obtaining the status of the facility, systems, or workforce, the Reconstitution Manager will determine how much time is needed to repair the affected facility or systems, acquire a new facility or systems, or achieve workforce recovery. These determinations may be made in conjunction with the Town Manager or his/her appointee.

Reconstitution procedures will commence when the Town Manager or other authorized person ascertains that the emergency situation or disruption has ended and is unlikely to reoccur. Once the appropriate authority has made this determination, in coordination with other applicable authorities, one or more of the following options may be implemented, depending on the situation:

- If the disruption was caused by a facility-related event, the Reconstitution Manager may [redacted]
- [redacted]
- [redacted]
- [redacted].

- [redacted]
- [redacted]
- [redacted]
- [redacted]

MISSION ESSENTIAL FUNCTIONS (MEFs)

The Town of Warrenton has identified mission essential functions (MEFs) and the Recovery Time Objective (RTO) required for each function.

The MEFs listed in the table below are prioritized by RTO to assist the agency and staff in knowing which functions must be recovered first. More information on the business processes identified for each MEF can be found in Appendix D – Business Process Analysis.

Mission Essential Functions (MEFs)

ESSENTIAL TOWN FUNCTIONS

Agency	Essential Function	Vital Record/System	RTO
Community Development	[redacted]	[redacted]	[redacted]
Town Manager's Office	[redacted]	[redacted]	[redacted]
Finance Department	[redacted]	[redacted]	[redacted]
Town Attorney	[redacted]	[redacted]	[redacted]

Public Works and Utilities	[redacted]	[redacted]	[redacted]
Human Capital	[redacted]	[redacted]	[redacted]
Information Technology	[redacted]	[redacted]	[redacted]
Parks and Recreation	[redacted]	[redacted]	[redacted]

Police Department	[redacted]	[redacted]	[redacted]

PROGRAM MANAGEMENT AND MAINTENANCE

Town of Warrenton leadership and the Continuity Coordinator are responsible for managing and maintaining the Continuity Plan. While the Continuity Plan serves as the guide during activation and recovery, the Continuity Program provides the framework and structure to guide continuity planning.

Program Management and Maintenance Responsibilities

Position	Responsibility
Town Manager	[redacted]
Continuity Coordinator	[redacted]
Public Works & Utilities Director's	[redacted]

Position	Responsibility
	[redacted]
Key Personnel	[redacted]
Town Employees and Contractors	[redacted]

Continuity Plan Maintenance Schedule

Activity	Tasks	Frequency
Revise contact information for executive leadership and key personnel	• Confirm and update executive leadership and key personnel information.	Semiannually
Plan update	• Review entire Plan for accuracy and compliance with the most recent VDEM template as required by Executive Order #41, 2011. • Update plan to reflect organizational changes within the agency or changes to the MEFs or supporting activities performed by the agency, interdependent agencies, or contractors. • Incorporate lessons learned and changes in policy and philosophy.	Annually (prior to the April 1st annual submission to VDEM) or when organizational changes occur
Maintain orders of succession and delegations of authority	• Identify current incumbents. • Update rosters and contact information.	Semiannually
Maintain alternate facility readiness	• Check all systems. • Verify accessibility. • Cycle supplies and equipment, as necessary.	Annually or at the agency's discretion
Verify the existence of an agency essential records program and identify the Program Manager	• Verify that essential records program includes provisions for monitoring the volume of materials, updating and/or removing materials, and materials distribution.	Annually or at the agency's discretion

TRAINING AND EXERCISES

To maintain the Town's continuity capability, an all-hazard continuity training and exercise program has been established. Major components of this program include training all staff in their continuity responsibilities and conducting periodic exercises to test and validate continuity plans and procedures, systems, and equipment.

TRAINING

The Town of Warrenton is dedicated to maintaining a continuity capability and as such has developed the following training schedule:

Continuity Plan Training Schedule

Individual or Group to Receive Training	Type of Training	Individual to Provide Training	Training Frequency
New Personnel	Continuity Awareness Briefing (or other means of orientation)	Human Capital and/or Continuity Coordinator	Within 60 days of hire
Executive Leadership and Key Personnel (Primary)	Continuity Plan Training (must minimally include individual Continuity Plan duties, mission essential functions, and orders of succession)	Continuity Coordinator	Annual awareness reminder or when plan changes occur
Key Personnel (Alternates)	Continuity Plan Training (must minimally include individual Continuity Plan duties, mission essential functions, and orders of succession)	Continuity Coordinator	Annual awareness reminder or when plan changes occur
	MEF Cross-training	Primary Key Personnel	At the Town's discretion
	Orders of Succession and Delegation of Authority Awareness	Continuity Coordinator	When delegations or successors change

Individual or Group to Receive Training	Type of Training	Individual to Provide Training	Training Frequency
Pre-delegated Authorities and Successors	Continuity Plan Training (must minimally include individual Continuity Plan duties, mission essential functions, and orders of succession)	Continuity Coordinator	Annual awareness reminder or when significant plan changes occur
Applicable Contractors	Continuity Plan Training (must minimally include individual Continuity Plan duties, mission essential functions, and orders of succession)	Continuity Coordinator	Annual awareness reminder or when significant plan changes occur
All Town Personnel	Continuity Plan Training (must minimally include individual Continuity Plan duties, mission essential functions, and orders of succession)	Continuity Coordinator	Annual awareness reminder or when significant plan changes occur

EXERCISES

Exercises may vary in size and complexity to achieve different operational objectives. The types of exercises are described below:

- Tabletop Exercises simulate an activation of the Continuity Plan in an informal, stress-free environment. They are designed to promote constructive discussion as participants examine and resolve problems based on existing plans. There is no equipment utilization, resource deployment, or time pressure. The exercise success depends on the group identifying problem areas, and offering constructive resolution alternatives. This format exposes personnel to new or unfamiliar concepts, plans, policies, and procedures.
- Functional Exercises are interactive exercises performed in real time that test the capability of the agency to respond to simulated continuity activation. One or more functions are tested and the focus is usually placed on procedures, roles, and responsibilities before, during, or after an event.
- Full-Scale Exercises simulate continuity activation through field exercises designed to evaluate the execution of the Plan in a highly stressful environment. This realism is accomplished through mobilization of agency personnel, equipment, and resources.

The Town of Warrenton may choose to coordinate their annual Continuity Plan exercise to coincide with (but not be replaced by) the Emergency Operation Plan exercise or other emergency response exercises we are required to perform.

Exercises are conducted to validate elements of the Continuity Plan, both individually and collectively. The Town of Warrenton is committed to ensuring that realistic exercises are conducted, during which individuals and business units perform the tasks that are expected of them in a real event. Exercises will be conducted annually in accordance with Executive Order #41 (2011).

Exercise or Activation Evaluation

Each exercise activity, as well as actual events will be evaluated and an AAR and IP shall be completed. The evaluation will identify systemic weaknesses and suggest corrective actions that will enhance the agency's preparedness. The results will be incorporated into a formal improvement plan. This information will be collected and prepared by the Continuity Coordinator, and reviewed and approved by the agency head. Once approved, the Continuity Coordinator will incorporate applicable lessons learned into the Plan.

COOP TRAINING AND EXERCISE MATRIX

Type of Training	Freq.	Audience	Method	Date Comp	Debrief
Workforce COOP awareness training (orientation)	Annual	Senior Management			
Workforce COOP awareness training (orientation)	Annual	All Town of Warrenton Personnel			
Team training for COOP personnel	Annual	Designated COOP Team			
Alternate site personnel training	Annual	All Town of Warrenton Personnel			
Annual exercise training	Annual	All Town of Warrenton Personnel			

Type of Training	Freq.	Audience	Method	Date Comp	Debrief
COOP alert, notification and activation procedures (call back)	Quarterly				
COOP communication capability (alternate facility test of equipment readiness)	Semi-Annual				
Recovery plans of vital records, critical information systems, services and data	Semi-Annual				
Primary and backup infrastructure systems and services at alternate facility	Annual				
COOP exercise: Seminar Tabletop Full-scale	Annual				

ACRONYMS AND DEFINITIONS

ACRONYMS

AAR	After Action Report
BIA	Business Impact Analysis
BPA	Business Process Analysis
CEMP	Crisis and Emergency Management Plan
COOP	Continuity of Operations
ECO	Emergency Coordination Officer
EMAC	Emergency Management Assistance Compact
EMAP	Emergency Management Accreditation Program
EAP	Emergency Action Plan
FEMA	Federal Emergency Management Agency
FOIA	Freedom of Information Act
HSEEP	Homeland Security Exercise and Evaluation Program
IP	Improvement Plan
ITDRP	Information Technology Disaster Recovery Plan
MEF	Mission Essential Function
MOU	Memorandum of Understanding
NTAS	National Terrorism Advisory System
NWS	National Weather Service
PBF	Primary Business Function
RPO	Recovery Point Objective
RTO	Recovery Time Objective
SVAHS	Secretariat of Veterans' Affairs and Homeland Security

DEFINITIONS

Activation – When all or a portion of the COOP plan has been put into motion. Activation may be full or partial.

After Action Report (AAR) – A report that summarizes and analyzes performance in both exercises and actual events. The report includes lessons learned, best practices, and an Improvement Plan (IP). The reports for exercises may also evaluate achievement of the selected exercise objectives and demonstration of the overall capabilities being exercised.

Alternate Facility – A location, other than the normal facility, used to process data and/or conduct mission essential functions (MEFs) in the event of a disaster.

Business Impact Analysis (BIA) – A method of identifying the effects of failing to perform a function or requirement. A BIA may be a useful tool in helping an agency identify some of its primary business functions.

Business Process Analysis (BPA) – A systematic method of identifying and documenting all of the elements necessary to accomplish each organizational MEF. The BPA ensures that the right people, equipment, capabilities, records, and supplies are identified and available where needed during a disruption so that MEFs can be resumed quickly and performed as required. The BPA is a method of examining, identifying, and mapping the functional processes, workflows, activities, personnel expertise, systems, data, partnerships, controls, interdependencies, and facilities inherent in the execution of the MEF.

Cold Site – An alternate site that is reserved for emergency use, but which requires the installation of equipment before it can support operations. Equipment and resources must be installed in such a facility to support the mission essential functions or primary business functions of an organization. Cold sites have many variations depending on their communication facilities, UPS systems, or mobility.

Continuity Coordinator – The individual that serves as the agency's manager for all continuity activities. The Coordinator has overall responsibility for developing, coordinating, and managing all activities required for the agency to perform its mission essential functions during an event that disrupts normal operations. Selecting a Continuity Coordinator is the first step in the continuity planning process.

Continuity of Operations (Continuity) – The effort to ensure an organization can continue its mission essential functions across a wide range of potential events.

Continuity Plan – A set of documented procedures developed to provide for the continuance of mission essential functions during an emergency.

Continuity Program – An ongoing, cyclical model of planning, training, evaluating, and implementing corrective action for continuity capabilities.

Crisis and Emergency Management Plan (CEMP) – A plan normally utilized by colleges and universities that uses a systematic approach to respond to and manage emergencies or disasters

that threaten the college or university's students, faculty, staff, and visitors. A CEMP does not encompass continuity planning and should be separate and distinct from the college or university's continuity plan. An emergency action plan (EAP) is the non-academic version of the CEMP.

Delegations of Authority – Identification of statutory or signatory authorities, those individuals holding the authority, and the alternate individuals responsible for assuming that authority should the primary be unavailable.

Emergency Action Plan (EAP) – The Plan maintained by an agency or organization for responding to a wide variety of potential hazards. It describes how people and property will be protected, details who is responsible for carrying out specific actions, identifies available personnel, equipment, facilities, supplies, and resources, and outlines how all response actions will be coordinated. An agency or organization's EAP is separate and distinct from its continuity plan.

Emergency Coordination Officer (ECO) – The individual that serves as the communications liaison between the Secretariat of Veterans Affairs and Homeland Security (SVAHS), VDEM and their own agency pursuant to Executive Order #41 (2011).

Emergency Management Accreditation Program (EMAP) – An independent, non-profit organization with a standards-based voluntary assessment and peer review accreditation process for government programs responsible for coordinating prevention, mitigation, preparedness, response, and recovery activities for natural and human-caused disasters. Accreditation is based on compliance with collaboratively developed national standards and is open to all US states, territories, and local governments.

Emergency Management Assistance Compact (EMAC) – Congressionally ratified organization that provides form and structure to interstate mutual aid. During a disaster, it allows a state to request and receive assistance from other member states.

Emergency Preparedness – The discipline which ensures an organization or community's readiness to respond to an emergency or disaster in a coordinated, timely and effective manner.

Essential Records – Records, files, documents or databases, which, if damaged or destroyed, would cause considerable inconvenience and/or require replacement or re-creation at considerable expense. For legal, regulatory, or operational reasons these records cannot be irretrievably lost or damaged without materially impairing the organization's ability to conduct business.

Facility – A location containing the equipment, supplies, and voice and data communication lines to conduct transactions required to conduct business under normal conditions.

Faculty – The teaching and administrative staff and those members of the administration having academic rank in an educational institution.

Federal Emergency Management Agency (FEMA) – The federal agency tasked with supporting citizens and first responders to ensure that as a nation, the United States works together to build, sustain, and improve its capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

Freedom of Information Act (FOIA) – A federal law, passed in 1966, which allows for the full or partial disclosure of previously unreleased information and documents under the control of government agencies.

Homeland Security Exercise and Evaluation Program (HSEEP) – A threat and performance-based exercise program developed by DHS that provides doctrine and policy for planning, conducting, and evaluating exercises. It was developed to enhance and assess terrorism prevention, response, and recovery capabilities at the federal, State and local levels.

Hot Site – An alternate facility that already has in place the computer, telecommunications, and environmental infrastructure to recover the mission essential functions disrupted by an emergency or disaster.

Hot Wash – A post-event meeting where executive leadership and key personnel discuss best practices of and potential improvements to the agency's overall preparedness.

Implementation Procedure Checklist – A list of the immediate actions to take once the continuity plan is implemented.

Improvement Plan (IP) – A list of action steps and resources required to correct a deficiency identified in an After Action Report, including the individual responsible for the actions and an estimated timeline for completion.

Information Technology Disaster Recovery Plan (ITDRP) – A set of documented procedures that identify the steps to restore organizations' IT systems and resources that support its primary business functions.

Key Personnel – Personnel designated by their division as critical to the resumption of mission essential functions.

Memorandum of Understanding (MOU) – A document that expresses mutual accord between two parties. To be legally operative, a memorandum of understanding must identify the contracting parties, spell out the subject matter of the agreement and its objectives, summarize the essential terms of the agreement, and be signed by the contracting parties.

Mission Essential Functions (MEFs) – The limited set of department and agency level government functions that must be continued throughout or resumed rapidly after a disruption of normal activities.

National Terrorism Advisory System (NTAS) – The system that replaces the color-coded Homeland Security Advisory System and provides timely, detailed information to the public, government agencies, first responders, airports and other transportation hubs, and the private

sector. NTAS Alerts will only be issued when credible information is available. More information about NTAS may be found at http://www.dhs.gov/files/publications/ntas-public-guide.shtm.

National Weather Service (NWS) – A division of the National Oceanic and Atmospheric Administration (NOAA) that provides weather, hydrologic, and climate forecasts and warnings for the United States, its territories, and its adjacent waters and ocean areas, for the protection of life and property and the enhancement of the national economy.

Orders of Succession – A list that specifies by position who will automatically fill a position once it is vacated. Orders of succession should be performed for positions of both executive leadership and key personnel.

Primary Business Function (PBF) – Specific supporting activities that an organization must conduct in order to perform its mission essential functions. Primary business functions are typically enablers that make it possible for an organization to perform its mission.

Promulgation – The process that officially announces/declares a plan and gives organizations both the authority and responsibility to perform their tasks.

Reconstitution – The process by which agency personnel resume normal business operations in a rehabilitated or new facility.

Reconstitution Manager – The individual responsible for all reconstitution activities. During an event, the Reconstitution Manager develops a plan and schedule for resuming normal operations and supervises the return of key personnel, essential records, and/or equipment.

Record Retention – Storage of historical documentation for a set period of time usually mandated by state or federal law or by the Internal Revenue Service.

Recovery – Recovery, in this document, includes all types of emergency actions dedicated to the resumption of mission essential functions and operational stability.

Recovery Point Objective (RPO) – The period of time between backups of essential electronic records in which data could be lost.

Recovery Time Objective (RTO) – The period of time in which systems, applications, or mission essential functions must be recovered after a disruption of normal operations.

Risk – An ongoing or impending concern that has a significant probability of adversely affecting business continuity.

Risk Assessment/Analysis – A process or methodology for evaluating risk by determining: the probability and frequency of a hazard occurring, the level of exposure of people and property to the hazard, and the effects or costs, both direct and indirect, of mitigating or accepting this exposure.

Risk Management – The discipline which ensures that an organization does not assume an unacceptable level of risk.

Secretariat of Veterans' Affairs and Homeland Security (SVAHS) – The Commonwealth of Virginia's cabinet-level office that serves the Commonwealth's veterans, military, and military families, and oversees the Commonwealth's Homeland Security and all-hazards preparedness efforts.

Vulnerability – The susceptibility of an agency or organization to a hazard. The degree of vulnerability to a hazard depends upon its risk and consequences.

Warm Site – An alternate facility that is only partially equipped.

AUTHORITIES

Executive Order #41 (2011)

Code of Virginia § 44-146.18

Virginia Information Security Standard (SEC 501-06)

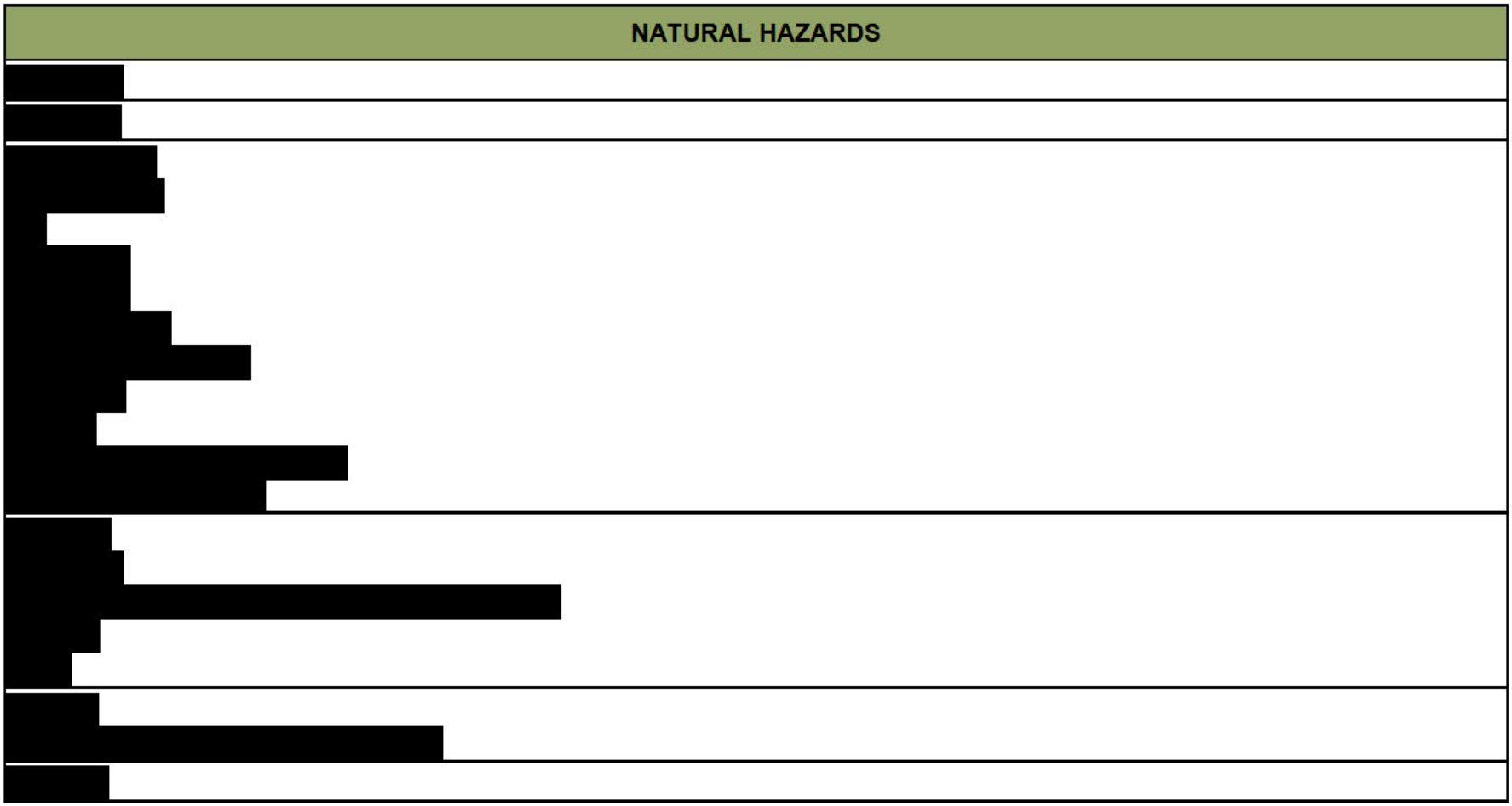
REFERENCES

- Virginia Department of Emergency Management Continuity Plan Template, November 2011, Version 4.0
- Commonwealth of Virginia Emergency Operations Plan, September 2011
- Emergency Management Accreditation Program (EMAP) Standards, 2010
- FEMA's Continuity Guidance Circular 1 (CGC 1), January 21, 2009
- FEMA's Continuity Guidance Circular 2 (CGC 2), July 22, 2010
- Homeland Security Exercise Evaluation Program (HSEEP) guidelines found at ***www.hseep.dhs.gov***.
- U. S. Department of Homeland Security Continuity of Operations Plan Template, May 2010

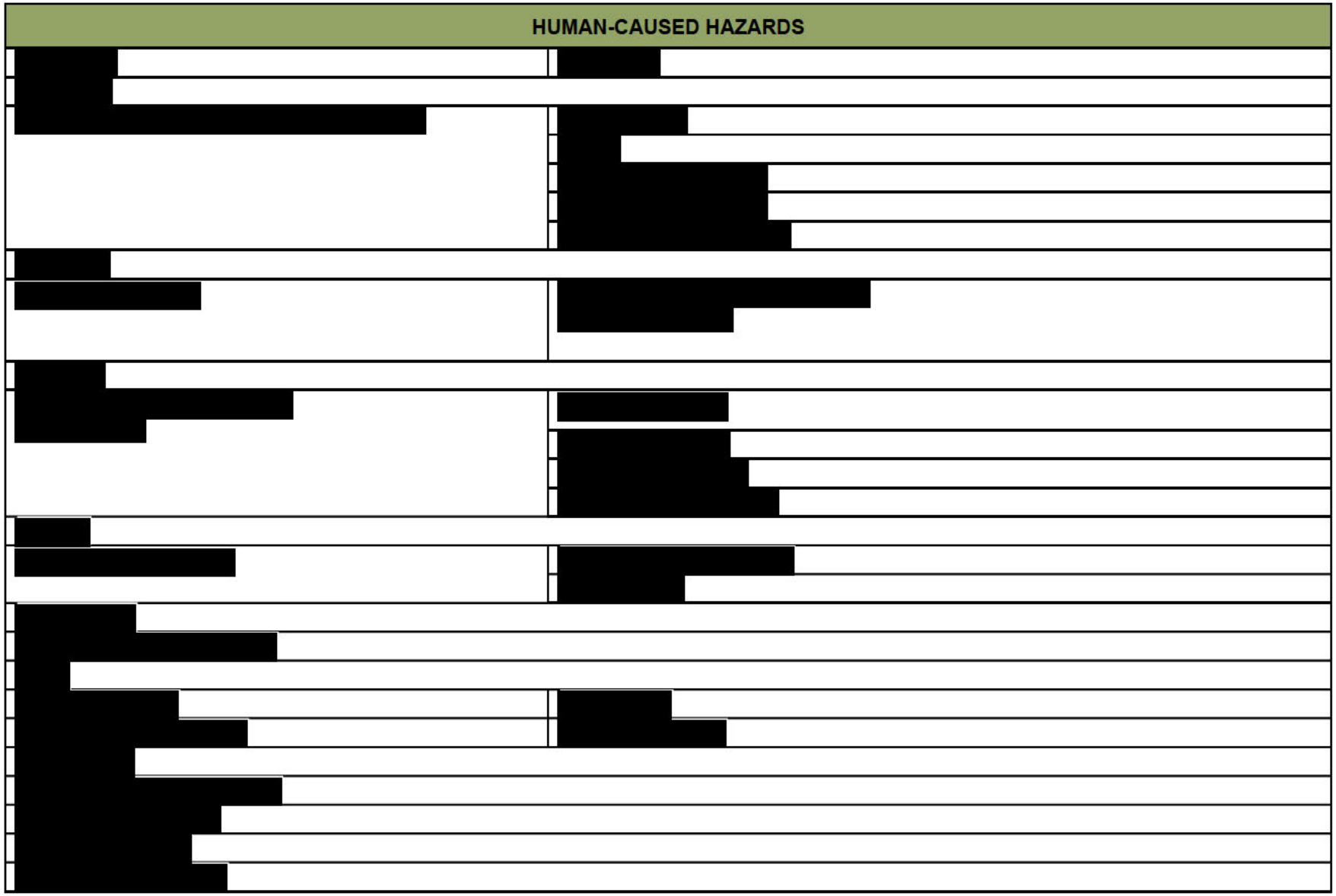
APPENDIX A: HAZARD IDENTIFICATION MATRIX

The Town has experienced HAZMAT incidents at facilities and on transportation corridors. The close proximity to Washington, D.C. means that any threats and hazards associated with the District could also impact our locality.

Historically, there has a number of severe weather events that have damaged and destroyed property throughout the Town. The potential for catastrophic damage by wind or flooding associated with tropical storm activity, thunderstorms and tornadoes is significant. The chart below outlines potential hazards for the Town.



APPENDIX A: HAZARD IDENTIFICATION MATRIX CONTINUED



APPENDIX B: COMMUNICATIONS PLAN

COOP planning requires that some methods of communications be up and running within [redacted] of COOP plan activation. Under most emergencies/disasters, communications will be primarily by [redacted] However, the Town of Warrenton recognizes that some disasters may render such communications inoperable. Alternate methods of communication are summarized in the following table.

Department Alternate Communications Methods	Alternate Communication
All Town Departments	[redacted]

PUBLIC INFORMATION

During a declared emergency, information pertaining to emergency operations will be disseminated to the public through the Town Manager. During a declared emergency that requires activation of the Town's COOP Plan, the Town Manager or designee will provide status updates throughout the emergency. He/she will convey the appropriate information to the public using established media channels.

APPENDIX C: KEY PERSONNEL RAPID RECALL LIST

This rapid recall list includes contact and telework information for key personnel tasked with responsibilities during a disruption to agency operations or services. Agency staff not included on this list should follow instructions provided by the Town of Warrenton during an activation of the Continuity Plan.

Key Personnel Rapid Recall List

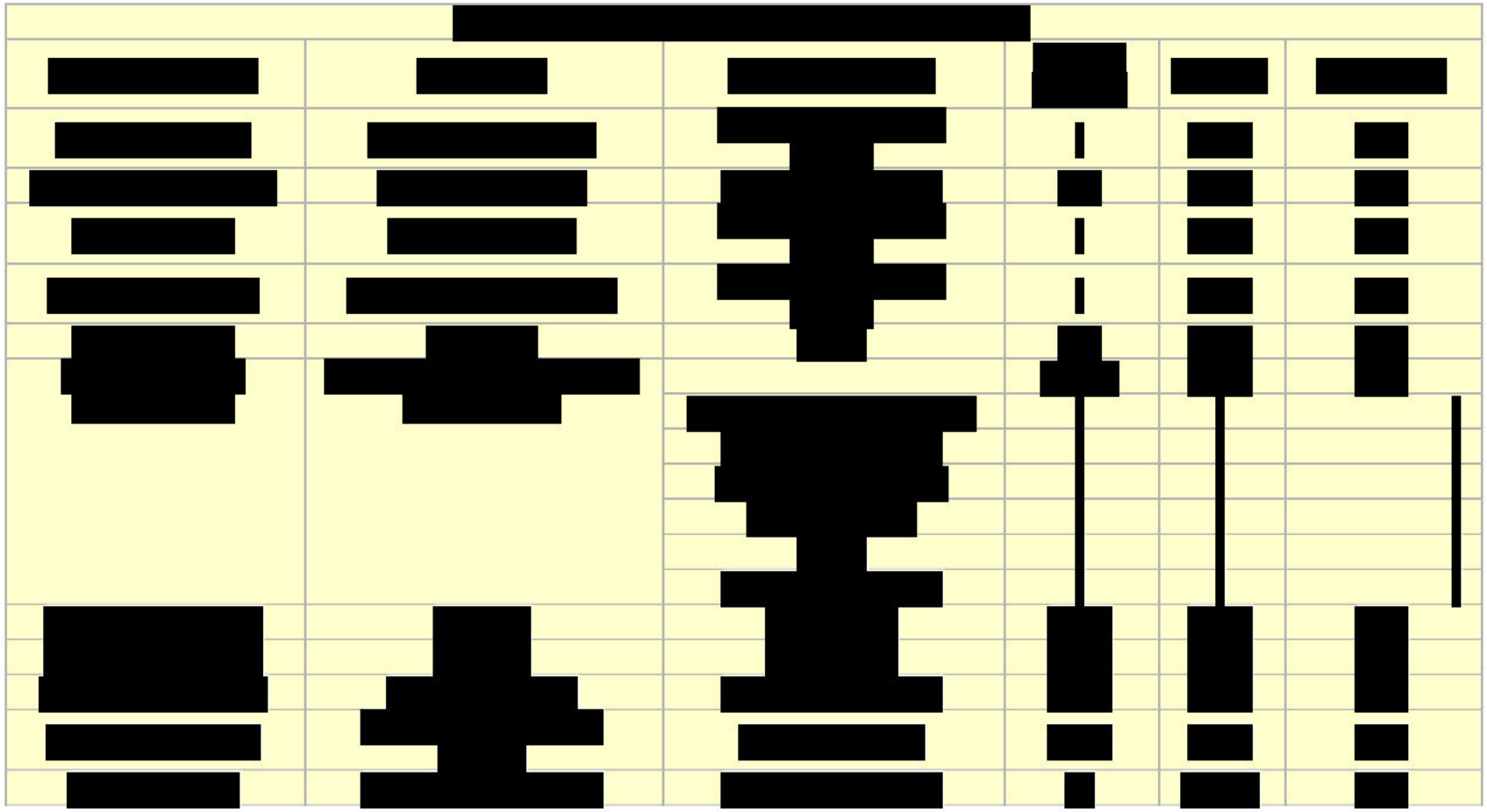
Name	Title / Department	Email Address	Work Phone	Cell Phone	Approved Telework
Frank Cassidy	Town Manager	fcassidy@warrentonva.gov	(540) 347-1101	[redacted]	
Lyndie Paul	Communications Manager	lpaul@warrentonva.gov	(540) 351-4173	[redacted]	X
Paul Bernard	Town Engineer	pbernard@warrentonva.gov	(540) 347-1101	[redacted]	
John Ward	Director Public Works	jward@warrentonva.gov	(540) 347-1858	[redacted]	
Rick Grigsby	Superintendent Public Utilities	rgrigsby@warrentonva.gov	(540) 347-1858	[redacted]	
Johnny Switzer	Emergency Management Coordinator & FFM	jswitzer@warrentonva.gov	(540) 347-1101	[redacted]	
Rob Walton	Director Community Development	rwalton@warrentonva.gov	(540) 347-1101	[redacted]	X
Denise Harris	Planning Manager	dharris@warrentonva.gov	(540) 347-1101	[redacted]	X
Mike Rhodes	Building Inspector	drhodes@warrentonva.gov	(540) 347-1101	[redacted]	
Hunter Digges	Building Official	hdigges@warrentonva.gov	(540) 347-1101	[redacted]	
Stephanie Miller	Finance Director	smiller@warrentonva.gov	(540) 347-1101	[redacted]	
Cheryl Huffman	Senior Revenue & Collections Manager	chuffman@warrentonva.gov	(540) 347-1101	[redacted]	

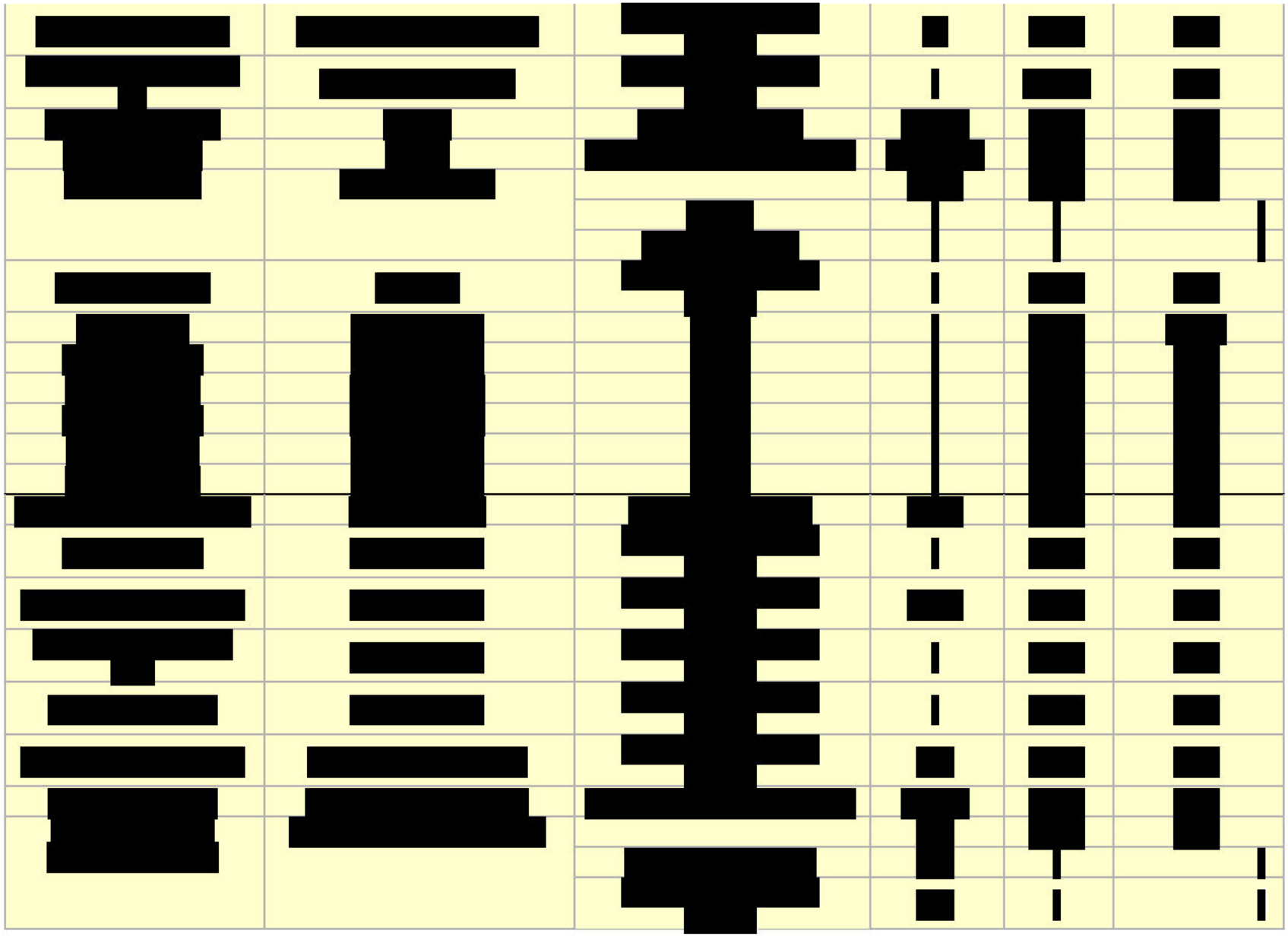
Name	Title / Department	Email Address	Work Phone	Cell Phone	Approved Telework
Robin Davis	Account Coordinator	rdavis@warrentonva.gov	(540) 347-1101	[redacted]	
Steven Friend	Director Public Utilities	sfriend@warrentonva.gov	(540) 347-1103	[redacted]	
Christopher Blastick	Superintendent WTP	cblastick@warrentonva.gov	(540) 347-1103	[redacted]	
Jeb Connolly	Chief Operator WTP	jconnolly@warrentonva.gov	(540) 347-1103	[redacted]	
Dwight Beahm	Chief Utility Mechanic	dbeahm@warrentonva.gov	(540) 347-6534	[redacted]	
Russell Smith	Superintendent WWTP	rsmith@warrentonva.gov	(540) 347-1104	[redacted]	
Ben Villalobos	Operator WWTP	bvillalobos@warrentonva.gov	(540) 347-1104	[redacted]	
Jonathan Stewart	Director Information Technology	jstewart@warrentonva.gov	(540) 347-1101	[redacted]	
Jimmy Retamoso	Information Technology System Administrator	jretamoso@warrentonva.gov	(540) 347-1101	[redacted]	
Robert Hughes	Information Technology Help Desk Administrator	sbruck@warrentonva.gov	(540) 347-1101	[redacted]	
Kelly Koernig	Director Parks & Recreation	kkoernig@warrentonva.gov	(540) 349-2520	[redacted]	
Timothy Carter	Chief WPD	tcarter@warrentonva.gov	(540) 347-1107	[redacted]	
Andrew Arnold	Deputy Chief WPD	aarnold@warrentonva.gov	(540) 347-1107	[redacted]	
Kasey Braun	Director Human Capital	kbraun@warrentonva.gov	(540) 347-1101	[redacted]	X

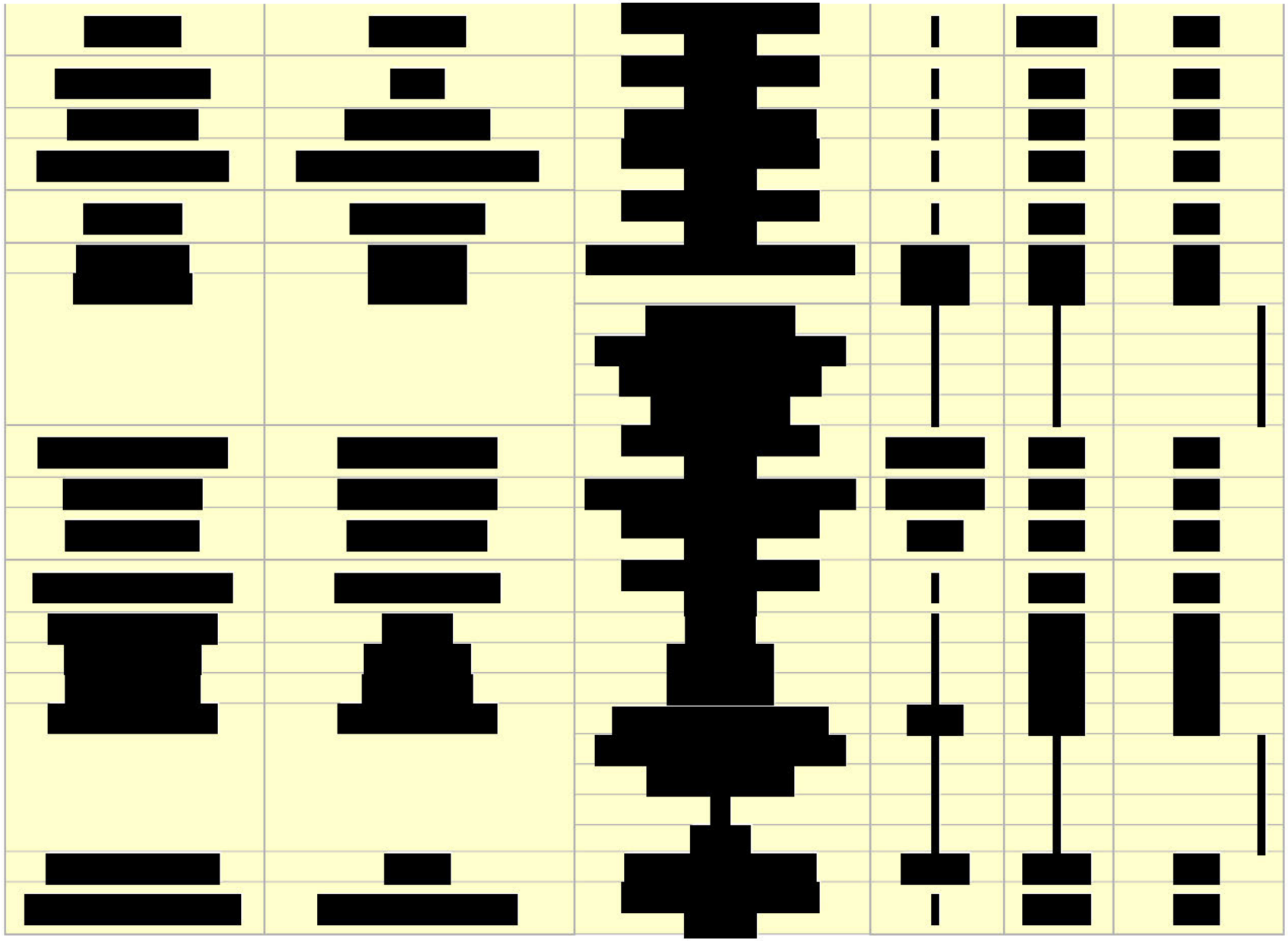
APPENDIX D: ALTERNATE FACILITIES

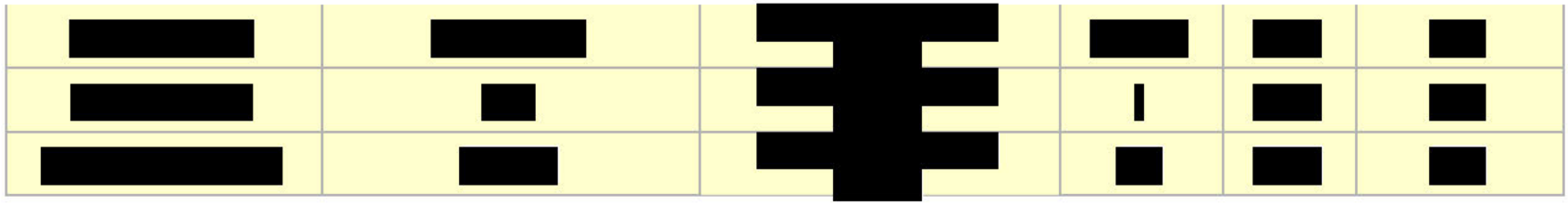
The Town of Warrenton has designated alternate facilities as part of its continuity planning and has prepared key personnel for the possibility of unannounced relocation to the site(s) to continue the performance of MEFs.

Alternate Facility Locations









APPENDIX E: ESSENTIAL RECORDS, SYSTEMS, AND EQUIPMENT

The Town of Warrenton realizes that essential records, systems, and equipment are critical to the agency's ability to perform MEFs. Therefore, the agency has taken safeguards to protect these vital records, systems, and equipment and to ensure their availability in a continuity environment.

This Continuity Plan works to safeguard essential electronic records in combination with the Town of Warrenton Information Technology Disaster Recovery Plan (ITDRP). The following essential records, systems, and equipment have been identified as directly supporting the performance of the Town of Warrenton MEFs.

Table C-1
Essential Records, Systems, and Equipment

Mission Essential Function (MEF)	Recovery Time Objective (RTO)	Essential Record and Type	System(s) or Equipment	Networks or Servers that must be Operational to Support the System(s) or Equipment
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	

Mission Essential Function (MEF)	Recovery Time Objective (RTO)	Essential Record and Type	System(s) or Equipment	Networks or Servers that must be Operational to Support the System(s) or Equipment
[redacted]				
[redacted]				
[redacted]				
[redacted]				

APPENDIX F: BUSINESS PROCESS ANALYSIS

The Business Process Analysis (BPA) is a systematic method of identifying and documenting all of the elements necessary to accomplish each agency MEF. BPA's have also been performed on primary business functions that directly support MEF performance. The following BPAs represent the Town of Warrenton processes for performing each MEF and supporting primary business functions.

Mission Essential Function - Business Process Analysis

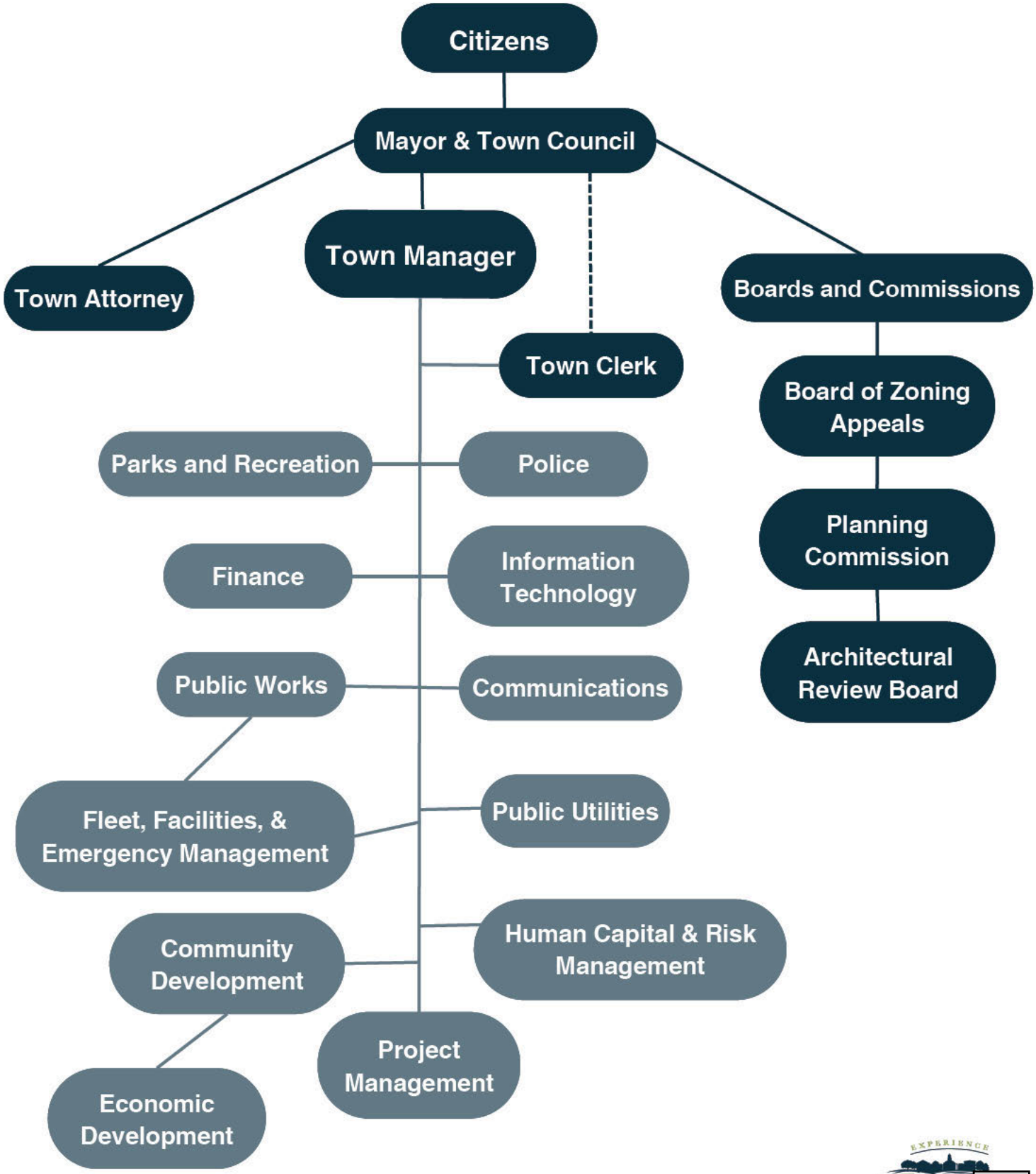
TOWN OF WARRENTON – CONTINUITY OF OPERATIONS PLAN *Insert Type of Essential function* - Business Process Analysis *(Insert Date)*
MEF Statement:
MEF Narrative:
MEF Output:
MEF Input:
Leadership:
Staff:
Communications and IT Requirements:
Facilities:
Resources and Budgeting:
Partners and Interdependencies:
Has a Manual Workaround been identified for this function?:
Process Details:

APPENDIX G: MANUAL WORKAROUND FORMS

FUTURE DEPARTMENT MANUAL WORKAROUND FORMS

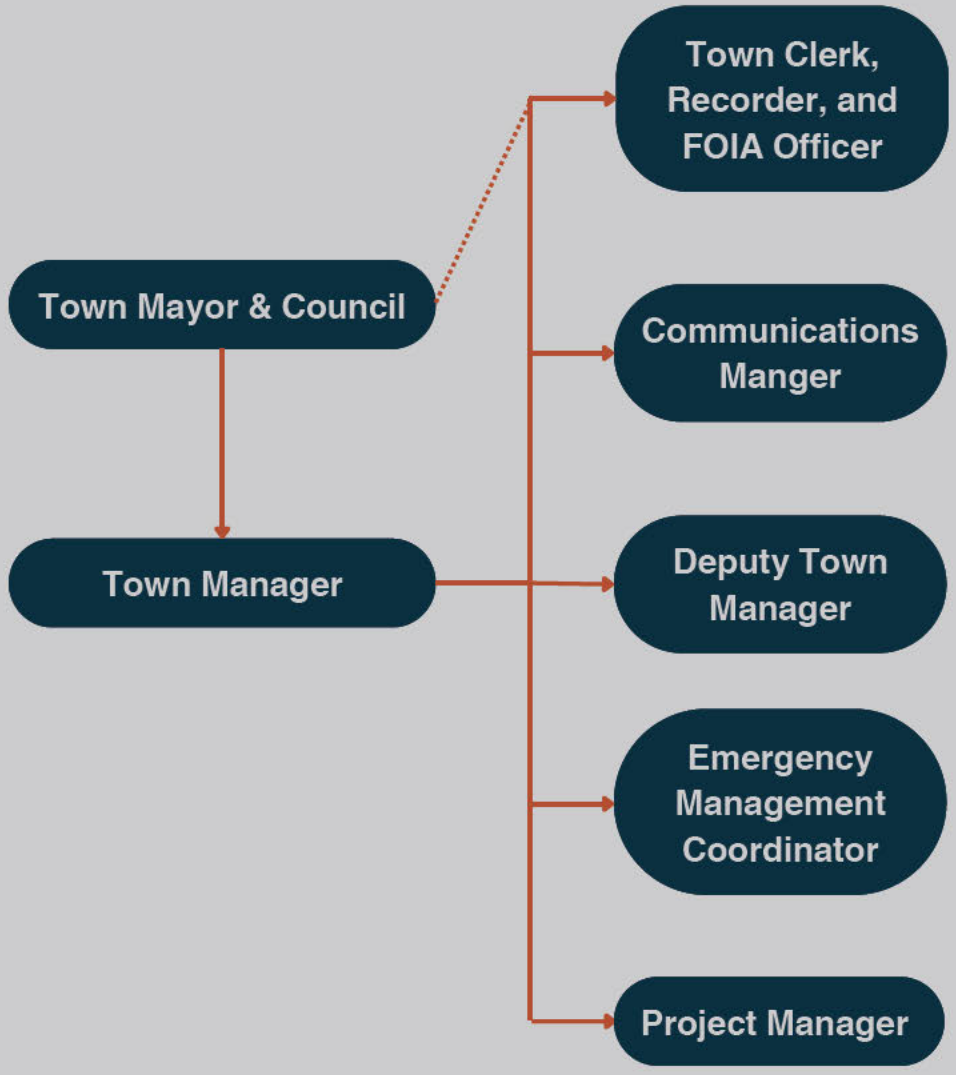
Appendix H: ORGANIZATION CHARTS

Town of Warrenton
Organizational Chart



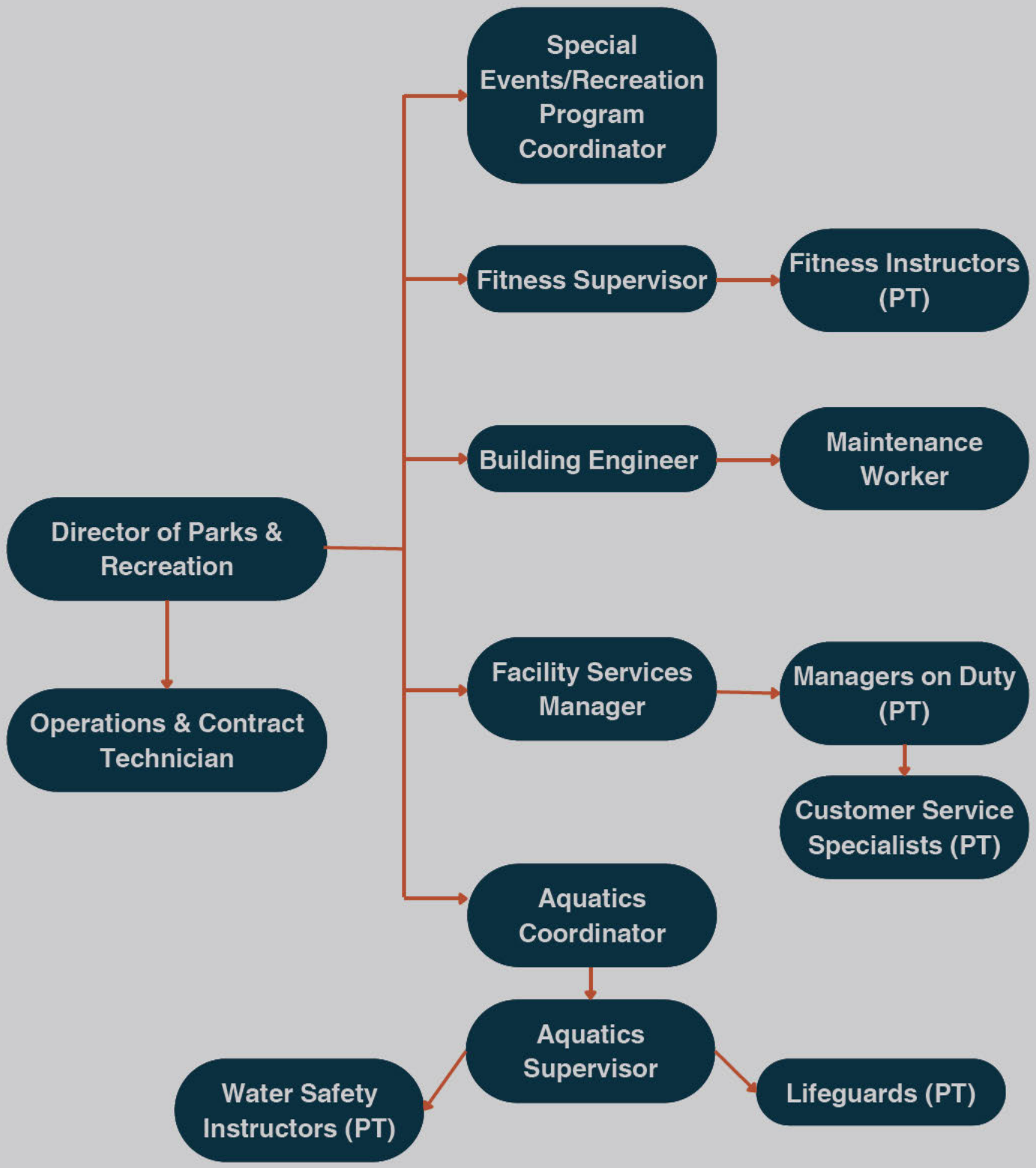
Town of Warrenton

Office of the Town Manager



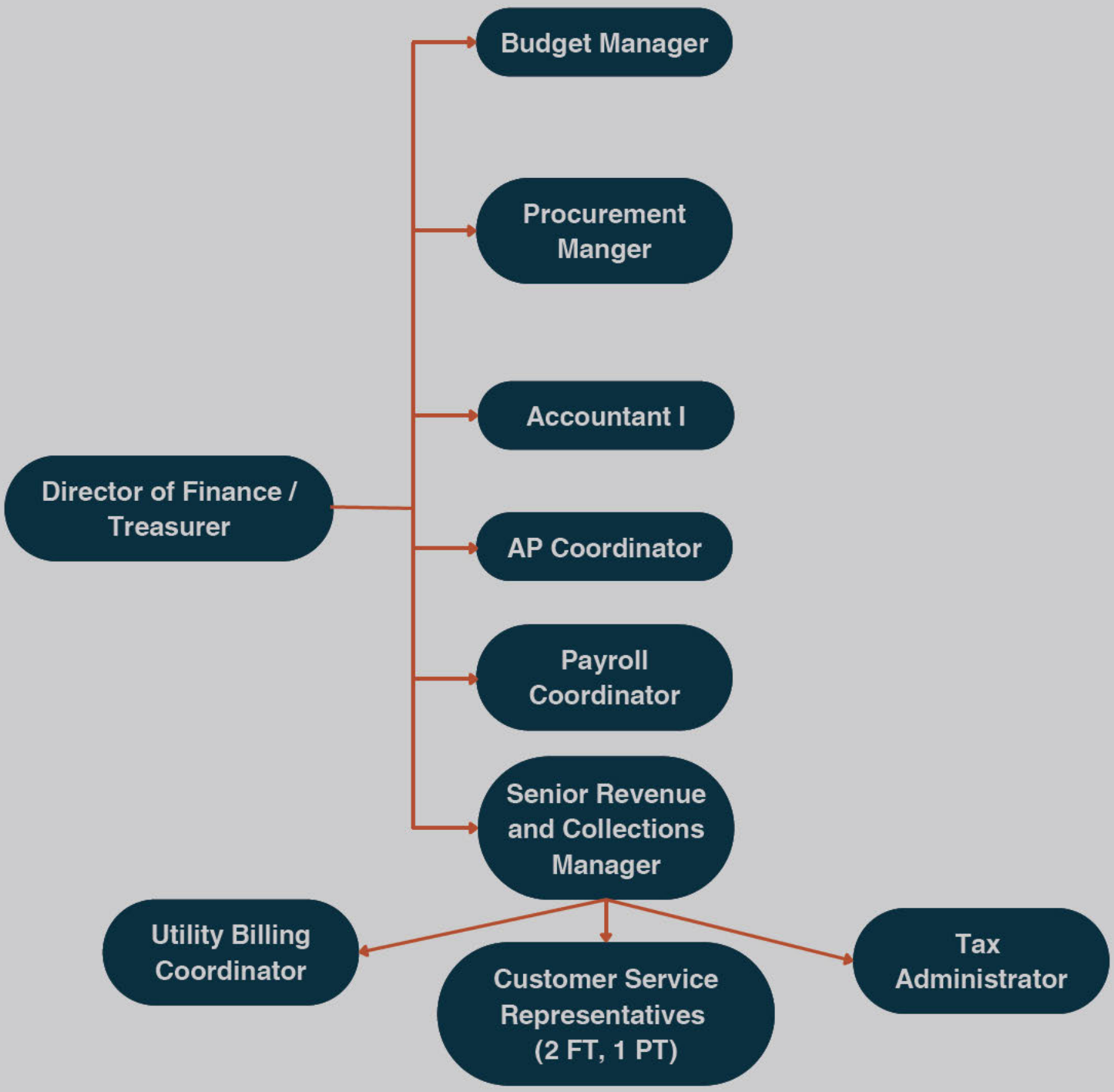
Town of Warrenton

Department of Parks & Recreation



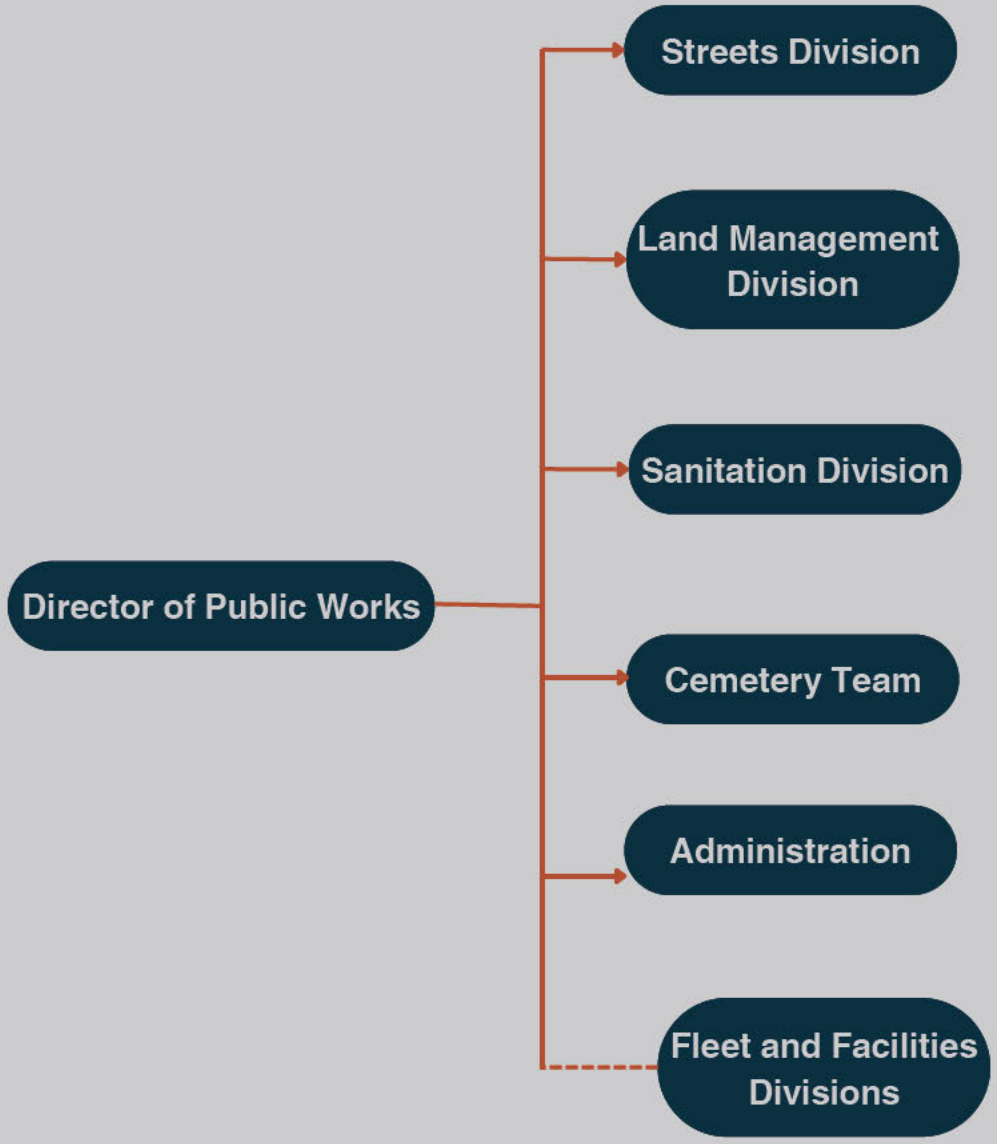
Town of Warrenton

Department of Finance

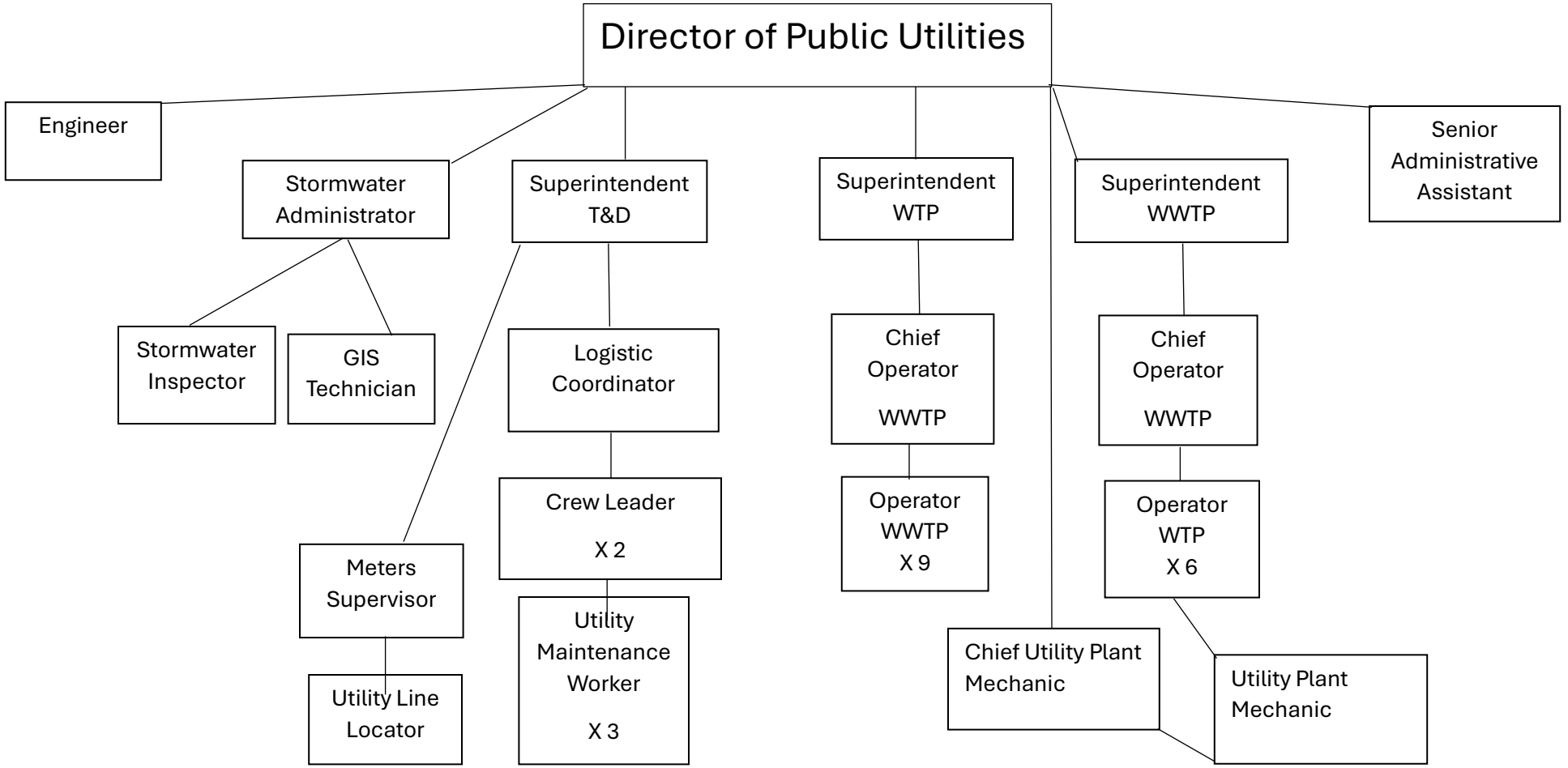


Town of Warrenton

Department of Public Works



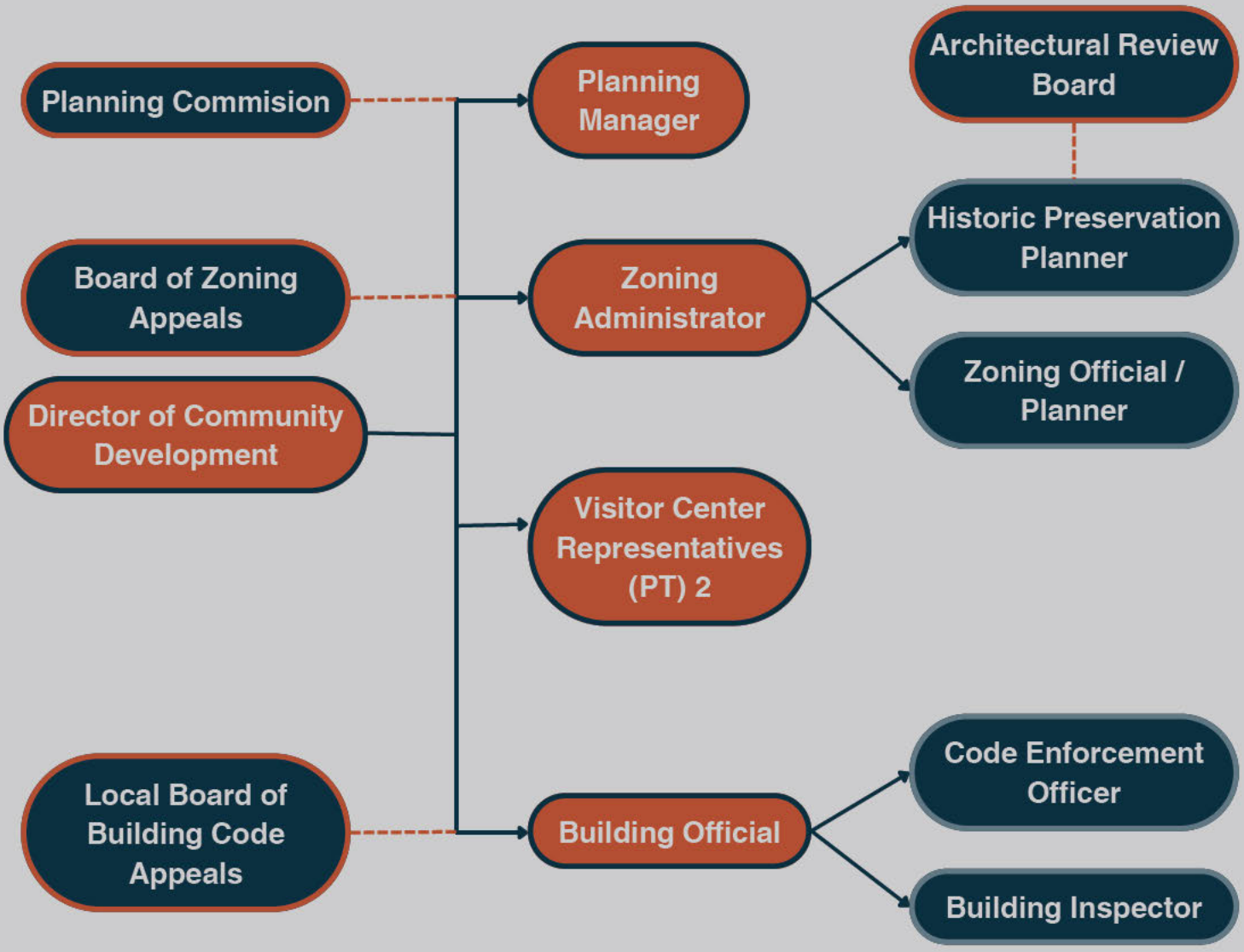
Public Utilities Organizational Chart



Total Staff – Utilities
FT- 32 PT-3

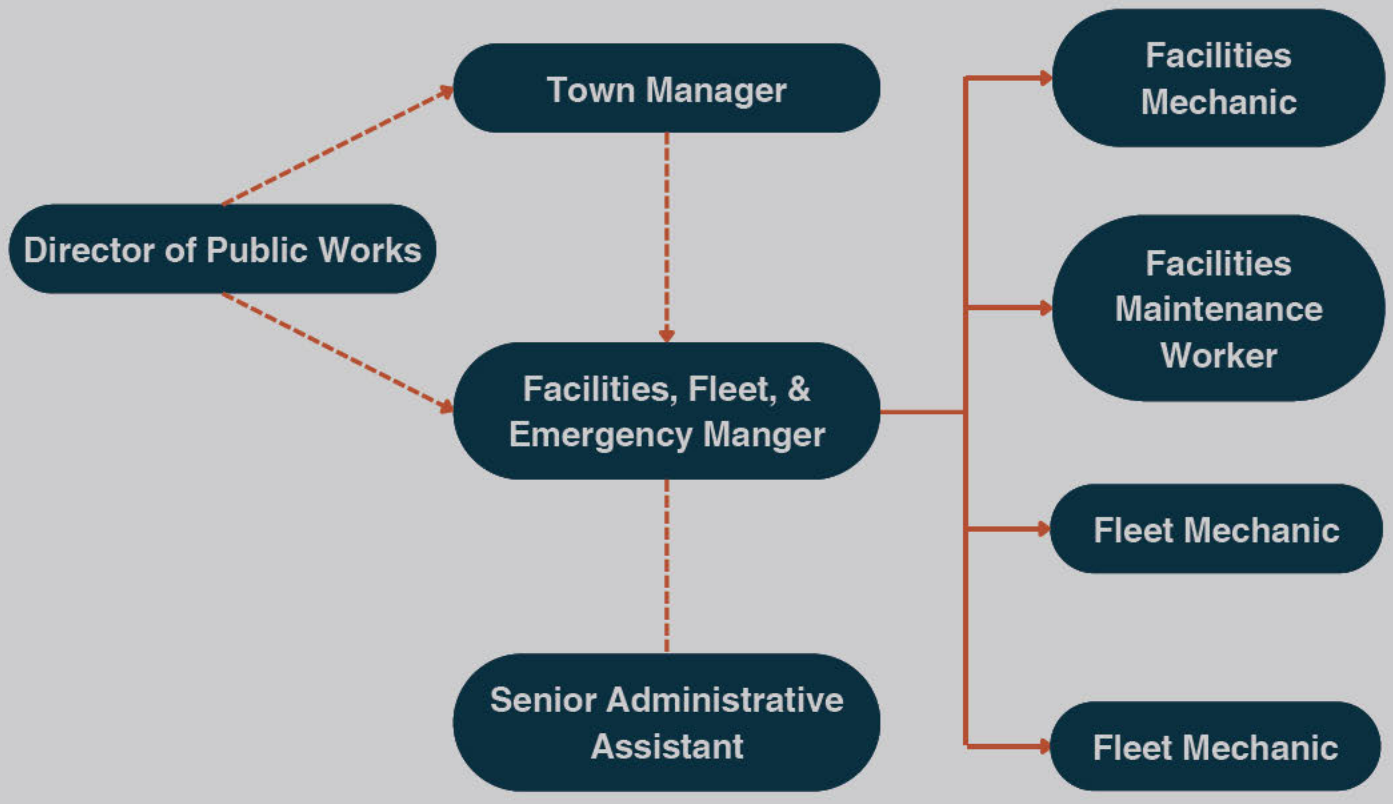
Town of Warrenton

Department of Community Development

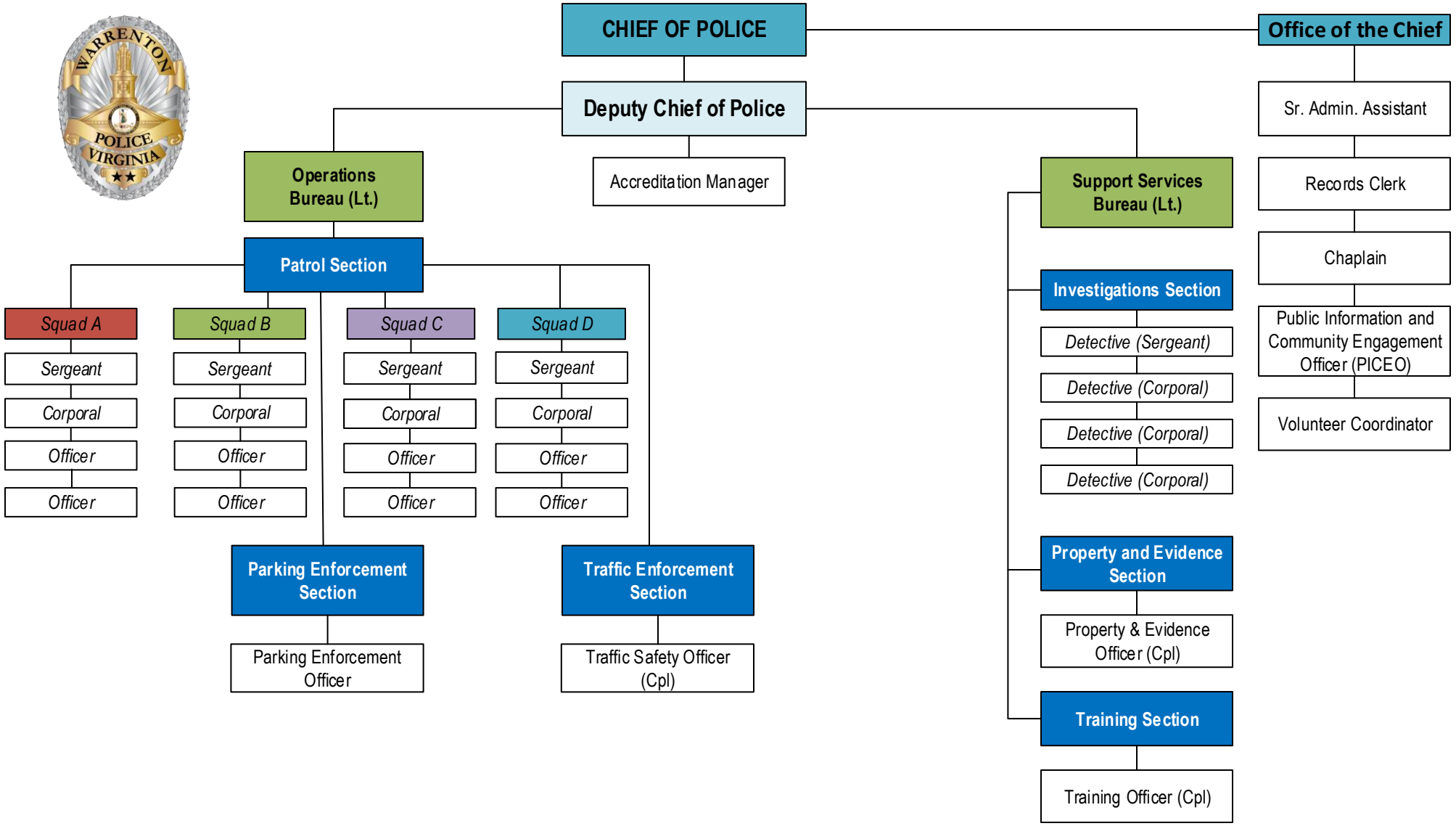


Town of Warrenton

Facilities, Fleet, & Emergency Management

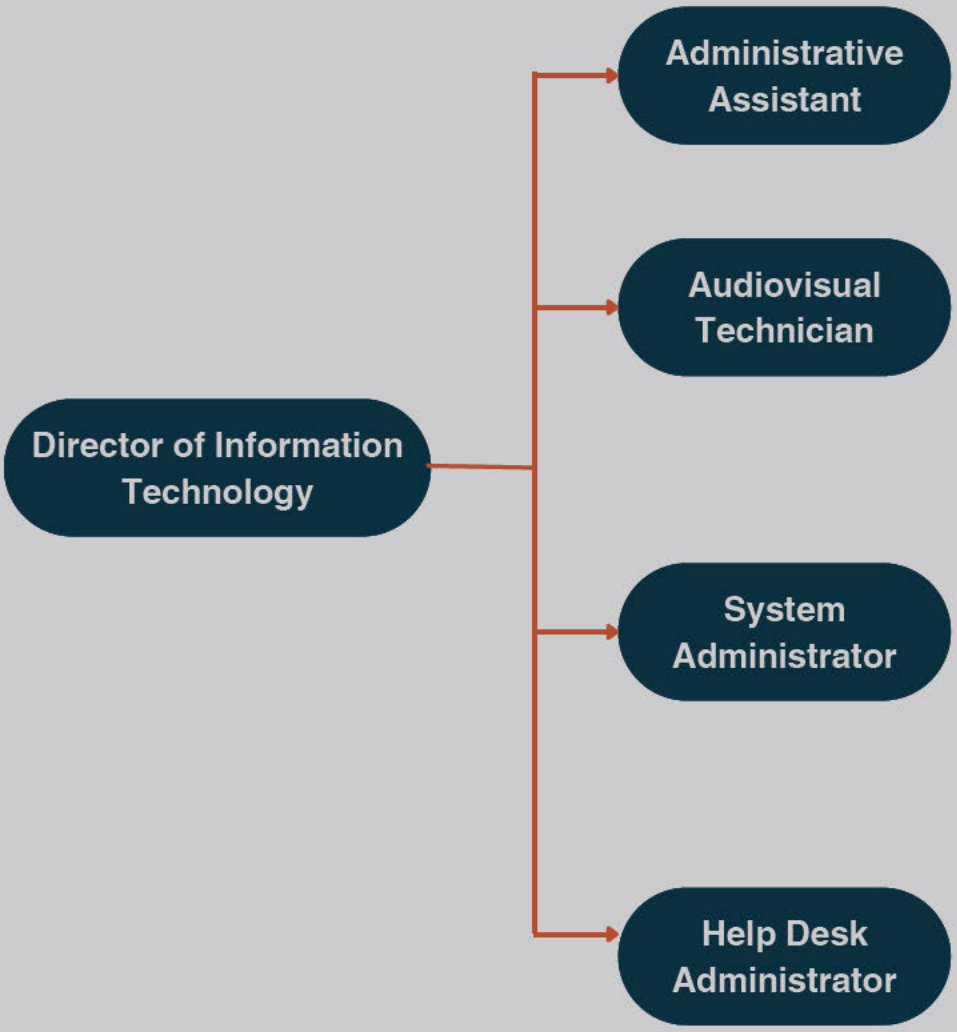


Warrenton Police Department – Organizational Chart



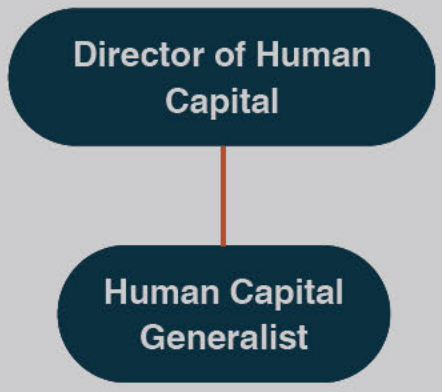
Town of Warrenton

Department of Information Technology



Town of Warrenton

Department of Human Capital & Risk Management



APPENDIX I: HUMAN CAPITAL

The COOP Plan considers the talents, energy, knowledge, and enthusiasm that staff invests in their work. In an ongoing effort to continue mission-essential functions in an emergency event, departments and agencies are responsible for developing, implementing, and updating their individual COOP Plans to respond to threats to their employees. These plans interact with and impact human capital management. Town of Warrenton leaders should be familiar with resources and flexibilities to assist managers and employees in emergencies.

The Town is prepared to implement its COOP Plan or Emergency Operations Plan (EOP) during a town-wide, departmental or agency-specific event.

Dismissals or closures used in emergencies that prevent most employees from reporting to work may require:

1. Designation of emergency employees or special categories of employees (e.g., COOP Team, emergency responders, mission critical, etc.);
2. Adjustments in work schedules;
3. Use of special compensation tools and flexibilities;
4. Temporary staffing arrangements such as working from home.

All departments and agencies shall maintain specific protocols for designating and activating special needs employees and shall develop, review and update emergency plans as needed.

DESIGNATION OF EMERGENCY EMPLOYEES AND OTHER SPECIAL CATEGORIES OF EMPLOYEES

The Town Manager has the authority and responsibility to identify and designate those personnel whom he/she judges to be critical to Town operations in any given emergency.

Town departments and agencies have identified key personnel who may be utilized based on the Town government's unique mission requirements and based on emergency circumstances. Such designations may vary according to the particular nature of an emergency. Such designations are part of the Town of Warrenton's EOP and COOP plans and have been communicated in advance to those so designated so that they are prepared to support and sustain Town operations in an emergency.

APPENDIX I: HUMAN CAPITAL CONTINUED

INCLEMENT WEATHER LEAVE

Following its procedures as outlined in the Town Personnel Policy for Inclement Weather Leave in situations that prevent significant numbers of employees from reporting for work on time or requiring departments to suspend all or part of their activities.

The policy's intent is for the Town to remain open during severe weather conditions that generally are the result of snow or ice. All offices shall remain open, and all services shall be operational and available to the public. Town offices may be declared closed by the Town Manager during periods of severe weather or when the health and safety of employees are at risk. Town employees will be notified if the Town Manager or their designee closes the Town offices during the workday.

All non-public safety and non-essential employees are not required to work while Town offices are closed. A specific closure announcement shall be distributed to local radio and television networks as outlined in the Inclement Weather Leave Policy. Closure announcement will also be promulgated through electronic communication, social media, and the Town's website.

STATUS OF EMERGENCY (ESSENTIAL) EMPLOYEES

All sworn public safety (uniformed police officers), Public Works, and Public Utilities employees, unless designated to the contrary, must work regular work schedules when Town offices are closed. Additional compensation for all hours worked during closure shall be granted according to Town Personnel Policies. The Town Manager's closure declaration shall affect all shifts working that date from the specified time of the declaration until the Town Manager declares the Town open.

Other employees may be designated as essential by appointing authorities when needed, particularly in Information Technology, Finance, and Human Capital, depending upon work requirements during periods when Town offices are closed.

STATUS OF NON-EMERGENCY EMPLOYEES AND NON-SPECIAL CATEGORIES OF EMPLOYEES

In the event of severe hazardous conditions, disruption of public services, or other emergencies of short duration, employees may be instructed not to report for work.

Suppose an employee is prevented from working because he or she has been instructed by his or her department head or other authorized officials not to report to work. In that case, the employee will usually be excused from work without loss of pay or charge to leave. Town managers may also wish to consider the use of alternative worksites when appropriate and feasible.

APPENDIX I: HUMAN CAPITAL CONTINUED

In crises, emergency employees and special categories of employees may be activated by the Town Manager or designee to perform assigned duties.

In the event of a prolonged shutdown caused by severe or hazardous conditions, disruption of public services, or other emergencies, Town personnel may be requested to work from home for those who have access.

There are no fixed solutions that will automatically apply to the Town in every emergency. However, Town department heads and managers will work closely with Human Capital to determine the best course of action for employees.

ALTERNATE EMPLOYEE ASSIGNMENTS

In the event of a prolonged shutdown caused by severe or hazardous conditions, disruption of public services, or other emergency situations, Town employees may be required to work in Town agencies/functions different from their current job but where their skills are needed to ensure the continued functioning of essential Town services.

PAY FLEXIBILITIES

Department heads have the authority and responsibility to establish work schedules for its employees within general legal and regulatory guidelines. The work schedule for most employees is determined in advance, but temporary periods of extended work hours in emergency situations are usually quite different from the employee's regularly scheduled workweek and may require pay flexibilities.

EMPLOYEE ROLES AND RESPONSIBILITIES

While department heads are responsible for determining employee status, employees also have an essential role in ensuring workplace safety. Employees should:

- Become familiar with Town policies, procedures, and the means of notifications to inform and instruct employees;
- Ask questions about Town procedures and talk to managers about any suggestions that could improve safety;
- Volunteer to assist in evacuation procedures and other duties during an emergency;
- Create a personal safety kit for emergencies and store it at the workplace. Appropriate items might include required medication, bottled water, long-sleeved shirt or jacket, and emergency contact numbers;
- Follow the instructions of designated emergency personnel; and
- Remain vigilant and report any suspicious circumstance to supervisors or designated department head.

TOWN OF WARRENTON
Office of Emergency Management
18 Court Street
Warrenton, Virginia 20186
http://www.warrentonva.gov
TELEPHONE (540) 680-9538
FAX (540) 349-2414

TO: **The Honorable Mayor and Members of the Warrenton Town Council**

FROM: Johnny H. Switzer, Emergency Management Coordinator

DATE: February 11, 2025

SUBJECT: **Continuity of Operations Plan (COOP) Overview**

Our Town Continuity of Operations (COOP) plan is a vital document that outlines how our organization will continue to function during and after a disruptive event, whether it's a natural disaster, technological failure, or public health emergency. Its core purpose is to ensure the continued performance of essential functions, protect vital records and resources, and facilitate a swift and orderly recovery. For our locality, COOP planning is not just a good practice but a legal requirement.

The primary purpose of our COOP is to maintain essential services and operations during any emergency that disrupts normal operations. This includes:

- **Ensuring Mission Continuation:** Identifying and prioritizing essential functions and outlining how they will be performed during a disruption.
- **Protecting Vital Records and Resources:** Safeguarding critical data, documents, and equipment necessary for continued operations.
- **Facilitating Communication:** Establishing clear communication channels with employees, stakeholders, and the public.
- **Delegating Authority:** Defining clear lines of succession and delegation of authority in case of leadership incapacitation.
- **Relocating Operations**: Identifying alternate work sites or procedures if the primary facility is unavailable.
- **Recovering Operations:** Establishing a plan for restoring normal operations as quickly and efficiently as possible.

Legal Requirements (Virginia)

Virginia's COOP planning requirements are rooted in several key legal frameworks:

- **Disaster Law of 2000 (Virginia Code Title 44):** This foundational legislation establishes the Virginia emergency management framework. It mandates that state agencies and localities develop emergency plans, which implicitly include COOP planning as a critical component. While it may not explicitly use the term "COOP," the requirements for ensuring essential services and continuity of government operations are embedded within its provisions.
- **Virginia Emergency Services and Disaster Law (VESDL):** Chapter 3.2 of Title 44 further details the responsibilities of state and local governments in emergency preparedness and response. This reinforces the requirement for COOP planning by emphasizing the need for agencies to maintain essential functions during emergencies.
- **Executive Orders and Guidance:** The Governor may issue executive orders related to emergency management that further define COOP requirements and provide guidance to state agencies. The Virginia Department of Emergency Management (VDEM) also plays a crucial role in providing guidance and support to state agencies and localities in developing and implementing COOP plans.

Title 44 and COOPs:

Title 44 is particularly relevant as it provides the overarching legal authority for emergency management activities in Virginia. While the specific requirements for COOPs may be detailed in other regulations or guidelines, Title 44 establishes the fundamental obligation for state and local governments to prepare for and respond to emergencies, which inherently includes maintaining the continuity of essential operations. For instance, provisions related to resource mobilization, emergency declarations, and the powers of the Governor during a state of emergency all have implications for how a COOP plan will be activated and implemented.

Other Relevant Information:

- **VDEM Guidance:** VDEM provides extensive resources and guidance to assist state agencies and localities in developing and implementing effective COOP plans. This includes templates, best practices, and training opportunities.
- **Federal Guidance:** While Virginia law provides the framework, federal guidance, such as Federal Emergency Management Agency (FEMA) Continuity Guidance, can also be a valuable resource for best practices and standards.
- **Plan Maintenance:** COOP plans are not static documents. They must be regularly reviewed, updated, and tested to ensure their effectiveness. Regular training for personnel is also essential.
- **Interoperability:** COOP plans should be coordinated with other agencies and jurisdictions to ensure seamless collaboration during emergencies.

In summary, COOP planning is a legal mandate and a critical component of emergency preparedness in Virginia. By developing and maintaining robust COOP plans, we can ensure the continued delivery of essential services, protect vital resources, and facilitate a swift and orderly recovery from any disruptive event. This is all grounded in the overarching legal framework of Virginia's Disaster Law of 2000 and Title 44, which establishes the state's commitment to emergency preparedness and response.

TOWN OF WARRENTON
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18 Court Street
Warrenton, Virginia 20186
http://www.warrentonva.gov
TELEPHONE (540) 680-9538
FAX (540) 349-2414

TO: **The Honorable Mayor and Members of the Warrenton Town Council**

FROM: Johnny H. Switzer, Emergency Management Coordinator

DATE: February 11, 2025

SUBJECT: Office of Emergency Management Actions and Plans

This letter serves as an overview of the Office of Emergency Management (OEM) and outlines the department's mission, responsibilities, and key objectives.

The Office of Emergency Management (OEM) is responsible for planning, coordinating, and implementing all-hazards emergency preparedness, response, recovery, and mitigation activities within the Town of Warrenton. We work closely with local, regional, and state agencies to ensure the safety and well-being of our community members during emergencies.

The OEM maintains a comprehensive collection of vital documents, including all written ordinances related to emergency preparedness, detailed emergency plans and guides for various scenarios, and informative citizen preparedness bulletins. To facilitate timely communication and access to crucial information, the Office of Emergency Management also operates a dedicated community hotline, providing a direct line of contact for residents to seek assistance, receive updates, and report any concerns during an emergency.

The OEM is committed to working closely with the Town Council and Mayor to ensure the safety and well-being of all residents. I look forward to collaborating with you on emergency management issues and building a more resilient community.

Key Responsibilities:

- **Emergency Planning & Preparedness:**
    - **Developing and maintaining the Town's comprehensive emergency operations plan.**
    - **Conducting exercises and drills to test emergency response procedures.**
    - **Maintaining and updating emergency contact lists and critical facility information.**
    - **Conducting community outreach and public education programs on emergency preparedness.**
- **Emergency Response:**
    - **Activating the Emergency Operations Center (EOC) as needed during emergencies.**
    - **Coordinating emergency response activities with local, regional, and state agencies.**
    - **Providing support to first responders and other emergency personnel.**
- **Emergency Recovery:**
    - **Assisting in the recovery efforts following an emergency event.**
    - **Coordinating with community partners to provide assistance to affected residents.**
- **Emergency Mitigation:**
    - **Identifying and mitigating potential hazards within the Town.**
    - **Developing and implementing long-term strategies to reduce the impact of future emergencies.**

Key Objectives:

- **Enhance the Town's ability to effectively respond to all types of emergencies.**
- **Improve community resilience and preparedness.**
- **Strengthening partnerships with local, regional, and state agencies.**
- **Promote a culture of emergency preparedness within the Town.**

Vital Emergency Management Ordinances, Documents, and Plans:

- **Town of Warrenton Ordinance 2011-11:**

This ordinance establishes Chapter 20, "Emergency Management," within the Town of Warrenton's Code. This chapter outlines the framework for emergency preparedness, response, and recovery within the town. It covers topics such as:

  - The creation of an Emergency Management Agency or Department.
  - The designation of an Emergency Management Coordinator.
  - Procedures for declaring local states of emergency.
  - Guidelines for emergency response and recovery operations.
  - Roles and responsibilities of various town departments and agencies during emergencies.
  - Public education and outreach programs on emergency preparedness.
  - The authority of the town government to take necessary actions during emergencies.

In essence, Ordinance 2011-11 serves as the foundational document for emergency management within the Town of Warrenton, providing a legal and operational framework for the town to effectively respond to and recover from various emergencies.

- **Emergency Operations Plan (EOP):**

The Town of Warrenton Emergency Operations Plan is a comprehensive document that outlines the town's strategy for managing emergencies. The plan was established in 2022 and is reviewed annually and re-adopted every four years. This plan includes:

  - Procedures for responding to various types of emergencies, such as natural disasters (floods, storms, etc.), man-made disasters (fires, hazardous materials incidents, etc.), and other threats.
  - Roles and responsibilities of different agencies and personnel within the town government during an emergency.
  - Communication plans for alerting the public and coordinating with other agencies.
  - Resource management strategies for allocating personnel, equipment, and supplies effectively.
  - Evacuation and shelter plans for protecting residents and providing assistance.
  - Recovery procedures for restoring essential services and assisting the community in recovering from the impacts of an emergency.

- **Continuity of Operations Plan (COOP):**

The Town of Warrenton's Continuity of Operations Plan (COOP) is a crucial document that outlines how the town government will continue to function in the event of a disruption. This could include natural disasters, pandemics, cyberattacks, or other emergencies that significantly impact normal operations. The COOP addresses:

- **Essential Functions:** Identifying the core services the town must continue to provide during a crisis (e.g., public safety, emergency response, essential government services).
- **Alternate Facilities:** Establishing alternative locations for essential personnel to work from if the primary offices are inaccessible.
- **Communication Systems:** Ensuring reliable communication channels for internal and external communication during a disruption.
- **Data Backup and Recovery:** Protecting critical data and ensuring its availability in the event of system failures.
- **Succession Planning:** Designating alternate personnel to assume critical roles in the absence of key officials.
- **Testing and Training:** Regularly testing and training personnel on the COOP to ensure its effectiveness.

The COOP helps the town government maintain essential functions, minimize disruption to services, and ensure the safety and well-being of its residents during a crisis.

- **Community Water System Emergency Response Plan:**

The Town of Warrenton's Community Water System Emergency Response Plan outlines the procedures for responding to emergencies that may disrupt the town's water supply. These emergencies could include:

- **Natural Disasters:** Earthquakes, floods, hurricanes, and other natural events that can damage water infrastructure.
- **Man-made Disasters:** Fires, explosions, and other incidents that can contaminate or disrupt water service.
- **Terrorist Attacks:** Acts of terrorism that target water systems.
- **Public Health Emergencies:** Waterborne disease outbreaks or other public health threats.

The plan includes:

- **Assessment and Monitoring:** Procedures for assessing the impact of an emergency on the water system and monitoring water quality.
- **Emergency Response Actions:** Steps to be taken to maintain or restore water service, such as activating emergency water sources, implementing water conservation measures, and conducting repairs.
- **Public Notification:** Procedures for informing the public about water service disruptions, boil water advisories, and other important information.
- **Coordination and Communication:** Protocols for coordinating with other agencies, such as public health officials, emergency management agencies, and law enforcement.
- **Resource Management:** Strategies for managing resources, such as personnel, equipment, and supplies, during an emergency.

The Community Water System Emergency Response Plan ensures the town's ability to respond effectively to water system emergencies, protect public health, and maintain essential water services for its residents.

- **Warrenton & Airlie Dam Emergency Action Plan:**

The Warrenton & Airlie Dam Emergency Action Plan is a critical document that outlines the procedures for responding to emergencies related to the dam. This includes:

- **Dam Failure:** Procedures for evacuating residents and businesses in the potential inundation zone if the dam were to fail.
- Flooding: Plans for responding to flooding caused by heavy rainfall, dam overtopping, or other factors.
- **Structural Issues:** Procedures for addressing potential structural problems with the dam, such as erosion or seepage.
- **Public Safety:** Measures to ensure the safety of residents and emergency responders during an emergency.
- **Communication:** Protocols for communicating with the public, emergency responders, and other relevant agencies.

The plan includes detailed maps of the potential inundation zones, evacuation routes, and emergency shelters. It also outlines the roles and responsibilities of various agencies involved in emergency response, such as law enforcement, fire departments, the Virginia Department of Transportation, local, state, and federal regulatory agencies, and emergency management officials.

- **Radiological Emergency Response Plan Ingestion Exposure Pathways:**

The Town of Warrenton's Radiological Emergency Response Plan addresses potential ingestion exposure pathways related to the North Anna Nuclear Power Plant.

    - **Ingestion Exposure:** This refers to the potential for radioactive materials to enter the human body through the consumption of contaminated food or water.
    - **Potential Pathways:** The plan outlines potential pathways for ingestion exposure, such as:
  - **Contaminated Food:**
    - **Locally Grown Produce:** Radioactive materials could potentially contaminate local crops or livestock feed if released into the environment.
    - **Milk:** If radioactive materials contaminate pastures used for grazing, milk from cows grazing in those areas could become contaminated.
  - **Contaminated Water:**
    - **Drinking Water Supplies:** If radioactive materials contaminate local water sources, drinking water supplies could become unsafe.
    - **Agricultural Water:** If irrigation water is contaminated, it could potentially contaminate crops.
  - **Mitigation Strategies:** The plan includes strategies to mitigate the risks of ingestion exposure, such as:
    - **Food and Water Monitoring:** Implementing procedures for monitoring food and water supplies for contamination.
    - **Protective Actions:** Advising residents to avoid consuming locally grown produce or milk if contamination is suspected.
    - **Alternative Water Sources:** Providing alternative sources of drinking water if local supplies are contaminated.

Important Note: The risk of significant radiological contamination from the North Anna Nuclear Power Plant is considered low. However, having a robust emergency response plan is essential for the safety and well-being of the community.

- **Emergency Procedures Guide:**

The Town of Warrenton's Emergency Procedures Guide is a valuable resource that provides guidance on how to respond to a variety of potential emergencies. This guide covers a range of hazards, including:

- **Man-made Hazards:**
  - **Bomb Threats:** Procedures for receiving and responding to bomb threats, including evacuation procedures and search protocols.
  - **Violent Incidents**: Guidelines for responding to active shooter situations, hostage situations, and other acts of violence.
  - **Fires:** Procedures for responding to fires in various settings, including buildings, vehicles, and outdoor areas.
  - **Medical Emergencies:** Guidelines for handling medical emergencies, such as cardiac arrest, stroke, and other life-threatening conditions.
  - **Hazardous Materials Incidents:** Procedures for responding to spills, leaks, or releases of hazardous materials.
- **Natural Hazards:**
  - **Severe Weather:** Guidelines for responding to severe weather events, such as tornadoes, hurricanes, floods, and winter storms.
  - **Infrastructure Outages**: Procedures for responding to power outages, water disruptions, and heating/cooling failures.
- **Other Emergencies:**
  - **Suspicious Objects and Persons:** Procedures for reporting and responding to suspicious packages, individuals, or activities.

The Emergency Procedures Guide provides clear and concise instructions for employees and other personnel on how to recognize emergencies, take appropriate safety precautions, and assist in the response effort. It also includes contact information for emergency services, such as law enforcement, fire departments, and emergency medical services.

This guide is a valuable resource for all employees and personnel within the Town of Warrenton, helping to ensure a coordinated and effective response to emergencies and enhance the safety and security of the community.

- **Hazardous Weather Action Plan:**

The Town of Warrenton's Hazardous Weather Action Plan outlines the procedures for responding to severe weather events. This plan is tailored to special events and other related outdoor activities. The plan includes:

  - **Monitoring and Warning Systems:** Procedures for monitoring weather forecasts and issuing warnings to the public, such as severe thunderstorm warnings, tornado warnings, and flash flood warnings.
  - **Emergency Shelters:** Identifying and preparing designated emergency shelters for residents to seek refuge during severe weather events.
  - **Communication Plans:** Establishing communication channels for disseminating warnings and updates to the public, such as local media outlets, emergency alert systems, and social media.
  - **Public Information and Education:** Conducting public education campaigns to inform residents about severe weather safety tips, such as developing an emergency plan, preparing an emergency kit, and knowing where to seek shelter.
  - **Coordination with Other Agencies:** Establishing protocols for coordinating with other agencies, such as law enforcement, fire departments, and emergency management agencies, during severe weather events.
  - **Resource Management:** Identifying and securing necessary resources, such as emergency supplies, equipment, and personnel, to support response and recovery efforts.

The Hazardous Weather Action Plan helps the Town of Warrenton to minimize the impacts of severe weather events, protect the safety of its residents, and ensure a coordinated and effective response.

ORDINANCE 2022-11

AN ORDINANCE CREATING CHAPTER 20 "EMERGENCY MANAGEMENT", OF THE CODE OF THE TOWN OF WARRENTON

WHEREAS, over the last two years, the Town of Warrenton has made significant progress in its ability to respond to and prepare for natural or human-caused emergencies effectively; and

WHEREAS, the Town Council of the Town of Warrenton approved the Emergency Services & Risk Manager position during the December 2020 regular meeting; and

WHEREAS, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia, prescribes the duties and responsibilities of political subdivisions; and

WHEREAS, the Town Council of the Town of Warrenton has determined the need for Emergency Management programs to ensure coordination before, during, and after emergencies;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Warrenton that pursuant to the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia, the Town Code be and is hereby amended by the addition of Chapter 20 "Emergency Management" be, and it hereby is, adopted to read in its entirety as follows:

Thomas Cureton, Town Clerk

Chapter 20 EMERGENCY MANAGEMENT

ARTICLE I. IN GENERAL

Sec. 20-1. Purpose.

It is the purpose of this chapter to implement within the Town of Warrenton the provisions of the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia, by providing, insofar as the resources of the Town permit, the organization, personnel, equipment and plans which are necessary to deal adequately with natural and human-caused disasters which may occur within the Town and its environs and, to the extent of the means available, to provide emergency disaster services to other communities and respond to calls made by the Governor or by the Virginia Department of Emergency Management.

State Law reference— Code of Virginia, § 44-146.24. Cooperation of public agencies.

Sec. 20-2. Definitions.

Definitions shall be as provided in § 44-146.16 of the Code of Virginia.

Sec. 20-3. Office of Emergency Management created; Director, Coordinator.

In accordance with § 44-146.19 of the Code of Virginia, the Office of Emergency Management is hereby created and shall serve as the agency of emergency management for the Town of Warrenton. The Town Manager shall be the Director of Emergency Management (within this chapter, the "Director"). The Emergency Services & Risk Manager shall serve as the Deputy Director and Coordinator of Emergency Management (within this chapter, the "Coordinator"), who shall report to the Director and shall have such powers as outlined in the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia and this chapter unless restricted by the Director or as may otherwise be assigned or delegated by the Director.

State Law reference— Agency of emergency management, Director and Coordinator of Emergency Management, Code of Virginia, § 44-146.19.

ARTICLE II. IN GENERAL

Sec. 20-4. - General powers and duties.

a) The Director shall develop or cause to be developed mutual aid arrangements with other public, private, not-for-profit, or non-governmental organizations for reciprocal assistance in case of a disaster too great to be dealt with unassisted.

b) The Director shall prepare or cause to be prepared and kept current one or more local or interjurisdictional emergency plans for the area for dealing with disasters of different types and scopes. The plan or plans shall include, but not be limited to, responsibilities of all local agencies, and they shall establish a chain of command according to the National Incident Management System. Plans shall be reviewed annually and updated when changes result from the review, with documentation.

c) The Director and Coordinator shall have such other powers and duties as provided for in the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Code of Virginia, § 44-146.13 et seq.), and any and all other applicable laws, plus all powers reasonably and necessarily implied from any express grant of authority.

State Law Reference— Powers and duties of political subdivisions Code of Virginia, § 44-146.19, Definitions, Code of Virginia, § 44-146.16.

Sec. 20-5. - Declaration of emergencies.

a) Except as provided in subsection (c) of this section or as otherwise provided by law, a local emergency may be declared by the Director with the consent of the town council.

b) Prior to the declaration of a local emergency, the Director shall attempt to obtain the prior formal or informal consent of the town council. However, if such consent is not reasonably practical under the circumstances, the declaration shall nevertheless be legally valid and of full legal force and authority.

c) The declaration shall be in writing. It shall remain in effect for 45 days or until confirmed, modified, extended, or canceled by official recorded vote of the town council, whichever occurs first. If the town council extends the declaration, it shall state the length of the extension and the conditions and procedures under which it shall be ended, if practicable. If the town council is unable to meet within 45 days, then the declaration may be renewed or extended by the Director for an indefinite period of time unless and until later modified or canceled by the Director or town council.

d) To the greatest extent practicable, the Director, Coordinator, or Town Clerk shall maintain a written record of all official actions taken hereunder for later review by applicable state, federal, and local agencies.

State Law Reference— Powers and duties of political subdivisions, Code of Virginia, § 44-146.19, Definitions, Code of Virginia, § 44-146.16, Declaration of local emergency, Code of Virginia, § 44-146.21

Sec. 20-6. – Emergency powers.

When a local emergency has been declared by the Director pursuant to section 20-5, or by order of the Governor, pursuant to Code of Virginia, § 44-146.17:

a) All departments and agencies of the town government shall cooperate fully with all directives from the Director or the coordinator.

b) The Director or the coordinator may:

1. Implement any applicable emergency plans and mutual aid agreements.
2. Suspend all normal procurement requirements in whole or in part.
3. Control, restrict, allocate or regulate the use, sale, production, and distribution of food, fuel, clothing, and other commodities, materials, goods, services, and resource systems within the Town.
4. Establish shelters as necessary. If any private property is declared to be a shelter, the owner thereof shall have the right to just compensation upon conclusion of the emergency, but he may not lawfully resist or interfere with the use of said property as a shelter during the emergency; provided that no shelter shall be established in a private residence without the consent of the property owner.
5. Commandeer and appropriate automobiles, boats, other vehicles, or other personal property if needed to protect the public. The owner of any such personal property shall have the right to just compensation upon conclusion of the emergency but may not lawfully resist or interfere with the taking of such property to protect the public.
6. Direct any Town employees to work at such hours and perform such duties as are reasonably necessary to help protect and serve the public, and it shall be their duty to perform as directed.
7. Request the assistance of the County Administrator, Superintendent of schools, the Sheriff, or any other public official to make employees, officials, facilities, and equipment available to assist as needed with emergency efforts.
8. Order an emergency curfew.
9. Order the evacuation of areas of the Town. Such evacuation orders may be enforced by any sworn officer. Failure to evacuate shall comprise the misdemeanor offense of resisting a police officer in the enforcement of their duty and disorderly conduct.

c) Any official of the Town police department may order the evacuation of buildings. Any sworn officer may order evacuation because of an explosive device or other situations deemed immediately dangerous to life or health. Failure to evacuate shall comprise obstruction or hindrance of a Town employee in the discharge of their duty and disorderly conduct and shall be punishable as a class 1 misdemeanor.

State Law reference— Powers and duties of political subdivisions, Code of Virginia, § 44-146.19, Definitions, Code of Virginia, § 44-146.16, Declaration of local emergency, Code of Virginia, § 44-146.21

Sec. 20-5. – Emergency succession.

If a local emergency has been declared, and the Director is for any reason incapacitated, disabled, or for any other reason unable to perform their duties, the powers of the Director shall pass to a successor official, in the following order:

a) The community development director.
b) The finance director.
c) The Coordinator.
d) The public works director.

Sec. 20-5. – Severability.

If any portion of this Article is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Article, and such invalid provisions or portions thereof shall be severable.

EXPERIENCE WARRENTON VIRGINIA EST. 1810

Emergency Management Update

Town Council Regular Meeting

September 9, 2025

Establishment of the Office of Emergency Management

- Originated in December of 2020 during the COVID-19 Pandemic.
- The office and program were created by Ordinance 2022-11 at the July 12, 2022, Town Council Meeting.
- Chapter 20 – Emergency Management - Town of Warrenton, Code of Ordinances.
- Serves as the Agency of Emergency Management for the Town of Warrenton.
- The office is governed by the Commonwealth of Virginia Emergency Services and Disaster Law of 2000. Code of Virginia, § 44-146.13 et seq.

Emergency Management Personnel

- The Town Manager shall be the director of emergency management (within Chapter 20 as, the "director").
    - Mr. Frank Cassidy serves as our Director of Emergency Management
- Code of Virginia, Title 44, Chapter 3.2 § 44-146.19. Powers and duties of political subdivisions.
    - 4. In the case of the Towns of Chincoteague and West Point and of towns with a population in excess of 5,000 having an emergency management organization separate from that of the county, the mayor or town manager shall appoint a coordinator of emergency services with consent of council;
        - Assigned to Mr. Johnny Switzer by Frank Cassidy on August 20, 2024, upon the departure of previous incumbent.

Designation of Emergency Management Organization

- Request was submitted to the Virginia Dept. of Emergency Management on February 4, 2025.
- Affirmed by VDEM, Acting State Coordinator John J. Scrivani on April 22, 2025.

Excerpt of letter from State Coordinator Scrivani

Director Cassidy,

I am pleased to inform you that the Virginia Department of Emergency Management (VDEM) has approved the Town of Warrenton's request to be recognized as an independent political subdivision solely for the purposes of emergency management, as defined in §44-146.16 of the Code of Virginia. This designation affirms the town's commitment to maintaining a robust and self-sufficient emergency management program in accordance with Title 44 of the Code of Virginia.

As an independent emergency management jurisdiction, the Town of Warrenton is now responsible for establishing and maintaining a comprehensive local emergency management program.

We commend the Town of Warrenton for its commitment to strengthening local emergency preparedness and resilience. As a political subdivision in VDEM Region 2, the Region 2 team will serve as your primary point of contact for the state and be available to support your town in preparing for, responding to, recovering from, and mitigating against the impacts of disasters. Please do not hesitate to reach out should you require any support developing and enhancing your program.

Congratulations on this important milestone. We look forward to working closely with you to enhance the safety and security of your community.

Sincerely,

John Scrivani,

Acting State Coordinator of Emergency Management

Designation of Emergency Management Agency

- Robust Emergency Management Program
- Enhanced Coordination & Response
- Access to Funding Opportunities
- Utilization of VDEM Systems
  - (WebEOC, Crisis Track, and EM Grants)
- Training and Exercise Opportunities

Next Steps

- Council Confirmation of the appointments for the Director & Coordinator of Emergency Management
  - Mr. Frank Cassidy, Director of Emergency Management
  - Mr. Johnny Switzer, Coordinator of Emergency Management
- Establishment of ALERT WARRENTON notification and emergency warning system.
- Review of the 2025 Continuity of Operations Plan (COOP) Update

Next Steps Continued

- Application to VDEM for Public Assistance relating to the July 17, 2025 Flash Flooding.
- Review of the Town of Warrenton & Red Cross Emergency Shelter Project located at the Warrenton Aquatic & Recreation Facility.

Update

Continuity of Operations Plan (COOP)

- **The COOP was established and implemented in 2022**
- **February 11, 2025 - Town Council Meeting Review of COOP update.**
- **April 22, 2025 – COOP revised to indicate standalone EMA designation.**
- **September 09, 2025 – COOP reviewed with Town Council during work session.**
- **October 14, 2025 – Anticipated COOP adoption at Town Council Meeting**

Update

March 5, 2025 Columbia Gas Emergency

$19,922.40 in staff costs to effectively respond to and mitigate the impact of the emergency.

2nd Request for Reimbursement Submitted August 29, 2025

Update

July 17, 2025 – 200 Year Flash Flooding Event

- **Infrastructure Damages to Date $109,250**
- **Application for VDEM Public Assistance (PA) started**
  - **EM Coordinator & Budget Manager Attended VDEM Applicant Briefing on July 30, 2025.**
  - **Documentation Due to VDEM by October 29, 2025**

Update

Emergency Shelter Project at the WARF

- Sheltering Supplies on-hand for 25 persons
- Met with Viviana Cristian, Community Disaster Program Manager, on July 14, 2025, for a certification walk-through of the Aquatic and Recreation Facility.
- Fauquier DSS and County EM were also in attendance.

Next Steps

- Consider Red Cross Facilities Use Agreement
- Work with Red Cross for Staff Training and SOP guidance

Update

9/6 – Severe Weather Event

- **Approximately 15 incidents involving downed trees, limbs, power, and related utility lines.**
- **Police, Public Works & Utilities, Emergency Management, and DFREM responded to weather-related incidents among normal calls for service.**
- **Weather track shows "line" of damage extending from Winchester St to Rt. 29. EM is in talks with the NWS on a damage assessment.**

EXPERIENCE WARRENTON VIRGINIA EST. 1810

Questions?

Shelter Facility Owner Pre-Survey Form

This form must be completed by the facility owner/operator. It records basic details about the site and contact information. Once completed, send it to the Red Cross representative.

Red Cross Representative: Viviana Cristian	Red Cross Contact Info:
Date Completed: 7/14/25	Contact Info: Person Completing Form: Kelly Koernig

Site Name: Warrenton Aquatic and Recreation Facility

Address: 800 Waterloo Rd | County: Fauquier

City: Warrenton | State: VA | Zip: 20186

Site Information

Year Built: 2007 | Site Meets Current Occupancy Codes: ■ Y ☐ N

Functional Fire Suppression System (fire alarms, sprinkler system, fire department direct alert): ■ Y ☐ N

Smoke Alarms: ■ Y ☐ N | Fire Extinguishers: ■ Y ☐ N

Functioning Emergency Exits: ■ Y ☐ N | AEDs: ■ Y ☐ N

Water Source: ■ Municipal ☐ Well ☐ Trapped Water Other:

Plumbing Source: ■ Municipal ☐ Septic Tank ☐ Water-less Other:

Emergency Generator: ■ Y ☐ N | What is powered by generator? Lights and outlets

Cooling System: ■ Electric ☐ Natural Gas ☐ Propane ☐ No AC Other:

Heating System: ■ Electric ☐ Natural Gas ☐ Propane ☐ No Heat Other:

Wireless Internet: ■ Y ☐ N | Pets Allowed: ■ Y ☐ N

Are there outside areas for pet relief? Yes

Facility Accessibility: ☐ 1984 UFAS ☐ 1991 ADA Standards ☐ 2004 ADAAG ☐ 2010 ADA Standards
chose all that apply ☑ Unknown ☐ Other _____

Contact Information

The Red Cross needs to know who to contact for additional information during disaster readiness and all potential points of contact during disaster. The "Primary" contact is the individual who serves as the main point of contact to the Red Cross during disaster readiness. It is helpful to provide alternate points of contact who may be actively involved when opening the shelter and who can be reached after-hours. Contacts can be updated with the Red Cross as necessary.

SITE CONTACT INFORMATION: | **CONTACT TYPE: Primary**

First Name: Kelly | Last Name: Koernig

Agency: Town of Warrenton | Title: Parks and Recreation Director

Phone #: | Alternative Phone #:

Email Address: kkoernig@warrentonva.gov

To Be Used by Facility Owner/Operator

SITE CONTACT INFORMATION:	CONTACT TYPE: Alternative
First Name: Johnny	Last Name: Switzer
Agency: Town of Warrenton	Title: Emergency Management Coordinator
Phone #:	Alternative Phone #:
Email Address: jswitzer@warrentonva.gov	

SITE CONTACT INFORMATION:	CONTACT TYPE: Alternative
First Name: Kathy	Last Name: Harju
Agency: Town of Warrenton	Title: Facility Operations Manager
Phone #:	Alternative Phone #:
Email Address: kharju@warrentonva.gov	

SITE CONTACT INFORMATION:	CONTACT TYPE: Alternative
First Name: Lauren	Last Name: Kruck
Agency: Town of Warrenton	Title: Special Events and Recreation Program Coordinator
Phone #:	Alternative Phone #:
Email Address: lkruck@warrentonva.gov	

SITE CONTACT INFORMATION:	CONTACT TYPE: Alternative
First Name: Jeffrey	Last Name: Bruck
Agency: Town of Warrenton	Title: Recreation Building Engineer
Phone #:	Alternative Phone #:
Email Address: jbruck@warrentonva.gov	

SITE CONTACT INFORMATION:	CONTACT TYPE: Alternative
First Name: Maria	Last Name: Spitz
Agency: Town of Warrenton	Title: Operations and Contracts Technician
Phone #:	Alternative Phone #:
Email Address: mspitz@warrentonva.gov	

SITE CONTACT INFORMATION:	CONTACT TYPE: Alternative
First Name:	Last Name:
Agency:	Title:
Phone #:	Alternative Phone #:
Email Address:	

Print additional pages to share additional contact information if needed.

To Be Used by Facility Owner/Operator

Facility Use Agreement

The American National Red Cross ("Red Cross"), a non-profit corporation chartered by the United States Congress, provides services to individuals, families, and communities when disasters strike. The disaster relief activities of the Red Cross are made possible by the American public, who support the Red Cross with generous donations. The Red Cross's disaster services are also supported by facility owners who permit the Red Cross to use their buildings as shelters and other service delivery sites for disaster victims. This agreement is between the Red Cross and a facility owner ("Owner") so the Red Cross can use the facility to provide services during a disaster. This agreement only applies when Red Cross requests use of the facility and is managing the activity at the facility.

Parties and Facility

Owner:

Full Name of Owner	
Address	
24-Hour Point of Contact Name and Title Work Phone Cell	
Address for Official Notices (only if different from above	

Red Cross:

Chapter Name	
Chapter Address	
24-Hour Point of Contact Name and Title Work Phone Cell	
Address for Official Notices	American Red Cross, Disaster Cycle Services Logistics, 8550 Arlington Blvd., Fairfax, VA 22031

Facility:

Insert name and complete street address of building or, if multiple buildings, write "See attached facility list," and attach facility list, including complete street address of each building that is part of this agreement. If the Red Cross will use only a portion of a building, then describe the portion of the building that the Red Cross will use.

Terms and Conditions

1. Use of Facility: Upon request and if feasible, Owner will permit the Red Cross to use and occupy the Facility on a temporary basis to conduct emergency, disaster-related activities. The Facility may be used for the following purposes (both parties must initial all that apply):

Facility Purpose	Owner Initials	Red Cross Initials
Service Center (Operations, Client Services, or Volunteer Intake)		
Storage of supplies		
Parking of vehicles		
Disaster Shelter		

2. Facility Management: The Red Cross will designate a Red Cross official to manage the activities at the Facility ("Red Cross Manager"). The Owner will designate a Facility Coordinator to coordinate with the Red Cross Manager regarding the use of the Facility by the Red Cross.
3. Condition of Facility: The Facility Coordinator and Red Cross Manager (or designee) will jointly conduct a survey of the Facility before it is turned over to the Red Cross. They will use the first page of the Red Cross's ***Facility/Shelter Opening/Closing Form*** to record any existing damage or conditions. The Facility Coordinator will identify and secure all equipment in the Facility that the Red Cross should not use. The Red Cross will exercise reasonable care while using the Facility and will not modify the Facility without the Owner's express written approval.
4. Food Services (*This paragraph applies only when the Facility is used as a shelter or service center.*): Upon request by the Red Cross, and if such resources are available, the Owner will make the food service resources of the Facility, including food, supplies, equipment and food service workers, available to feed the shelter occupants. The Facility Coordinator will designate a Food Service Manager to coordinate meals at the direction of and in cooperation with the Red Cross Manager. The Food Service Manager will establish a feeding schedule and supervise meal planning and preparation. The Food Service Manager and Red Cross Manager will jointly conduct a pre-occupancy inventory of the food and food service supplies before the Facility is turned over to the Red Cross. When the Red Cross vacates the Facility, the Red Cross Manager and Facility Coordinator or Food Service Manager will conduct a post-occupancy inventory of the food and supplies used during the Red Cross's activities at the Facility.
5. Custodial Services (*This paragraph applies only when the Facility is used as a shelter or service center.*): Upon request of the Red Cross and if such resources are available, the Owner will make its custodial resources, including supplies and workers, available to provide cleaning and sanitation services at the Facility. The Facility Coordinator will designate a Facility Custodian to coordinate these services at the direction of and in cooperation with the Red Cross Manager.
6. Security/Safety: In coordination with the Facility Coordinator, the Red Cross Manager, as he or she deems necessary and appropriate, will coordinate with law enforcement regarding any security and safety issues at the Facility.
7. Signage and Publicity: The Red Cross may post signs identifying the Facility as a site of Red Cross operations in locations approved by the Facility Coordinator. The Red Cross will remove such signs when the Red Cross concludes its activities at the Facility. The Owner will not issue press releases or other publicity concerning the Red Cross's activities at the Facility without the

written consent of the Red Cross Manager. The Owner will refer all media questions about the Red Cross activities to the Red Cross Manager.

8. Closing the Facility: The Red Cross will notify the Owner or Facility Coordinator of the date when the Red Cross will vacate the Facility. Before the Red Cross vacates the Facility, the Red Cross Manager and Facility Coordinator will jointly conduct a post-occupancy inspection, using the second page of the *Shelter/Facility Opening/Closing Form,* to record any damage or conditions.

9. Fee (*This paragraph does not apply when the Facility is used as a shelter. The Red Cross does not pay fees to use facilities as shelters.*): Both parties must initial one of the two statements below:

   a. Owner will not charge a fee for the use of the Facility.
   Owner Initials _____ Red Cross Initials _____

   b. The Red Cross will pay $___ per: _____ for the right to use and occupy the Facility
   Owner Initials _____ Red Cross Initials _____

10. Reimbursement: Subject to the conditions in paragraph 10(e) below, the Red Cross will reimburse the Owner for the following:

   a. *Damage to the Facility or other property of Owner*, reasonable wear and tear excepted, resulting from the operations of the Red Cross. Reimbursement for facility damage will be based on replacement at actual cash value. The Red Cross, in consultation with the Owner, will select from bids from at least three reputable contractors. The Red Cross is not responsible for storm damage or other damage caused by the disaster.

   b. *Reasonable costs associated with custodial and food service personnel and supplies* which would not have been incurred but for the Red Cross's use of the Facility. The Red Cross will reimburse at per-hour, straight-time rate for wages actually incurred but will not reimburse for (i) overtime or (ii) costs of salaried staff.

   c. *Reasonable, actual, out-of-pocket costs for the utilities indicated below*, to the extent that such costs would not have been incurred but for the Red Cross's use of the Facility. (Both parties must initial all utilities that may be reimbursed by the Red Cross):

	Owner Initials	Red Cross Initials
Water		
Gas		
Electricity		
Waste Disposal		

   d. The Owner will submit any request for reimbursement to the Red Cross within 60 days after the occupancy of the Red Cross ends. Any request for reimbursement must be accompanied by supporting invoices. Any request for reimbursement for personnel costs must be accompanied by a list of the personnel with the dates and hours worked.

   e. If the disaster is a Federally declared disaster and Owner is a municipal, county, parish, or state government entity, then the Owner will work with appropriate emergency management agencies to seek cost reimbursement through the Federal Emergency Management Agency's program for administering Public Assistance Category B under the Robert T. Stafford Act. The Red Cross is not obligated to

reimburse the Owner for costs covered by Public Assistance Category B.

11. Insurance: The Red Cross shall carry insurance coverage in the amounts of at least $1,000,000 per occurrence for Commercial General Liability and Automobile Liability. The Red Cross shall also carry Workers'.
    a. Compensation coverage with statutory limits for the jurisdiction within which the facility is located and $1,000,000 in Employers' Liability.
12. Indemnification: The Red Cross shall defend, hold harmless, and indemnify Owner against any legal liability, including reasonable attorney fees, in respect to claims for bodily injury, death, and property damage arising from the negligence of the Red Cross during the use of the Facility.
13. Term: The term of this agreement begins on the date of the last signature below and ends 30 days after written notice by either party.

Digital Signature: Each party agrees that either part's execution of this agreement by DIGITAL signature (whether ELECTRONIC or encrypted) is expressly intended to authenticate this AGREEMENT and to have the same force and effect as manual signatures. The term DIGITAL signature means any electronic sound, symbol, or process attached to or logically associated with a record and executed and adopted by a party with the intent to sign such record, including facsimile or email electronic signatures. The use of digital signatures is intended to facilitate more efficient execution and delivery of signed documents.

Owner (Legal Name)	The American National Red Cross (Legal Name)
By (Signature)	By (Signature)
Name (Printed)	Name (Printed)
Title	Title
Date	Date

PET ADDENDUM TO FACILITY USE AGREEMENT

This Pet Addendum to Facility Use Agreement ("Addendum") is hereby annexed to and made a part of the Facility Use Agreement ("Agreement") having an effective date of _____, 20___, and entered into between _____ ("Owner") and The American National Red Cross, a nonprofit corporation, a Federally chartered instrumentality of the United States, and a body corporate under the laws of the United State (36 U.S.C. §§ 300101-300111 (2007) ("Red Cross"). Owner and Red Cross are each sometimes referred to herein as a "Party" and collectively, as "Parties", as the context requires. Capitalized terms used, but not defined herein have the meanings set forth in the "Agreement".

Owner hereby grants permission to the Red Cross to permit its clients while occupying a portion of the Premises ("Client") to keep only those pet(s) described below upon the terms and conditions in this Addendum. All pets are subject to the following general policies:

1. Clients' household pets, including assistance/therapy animals (each as defined by applicable law) are permitted to be kept on and in the area of the Facility designated on Exhibit A of this Addendum ("Pet Area"), or other areas (designated by Owner) in the building.

2. Clients' service and/or guide animals (as defined by applicable law) are permitted to be kept in the same area of the Facility as the Client.

3. At all times when a client's pet is outside the Pet Area, the pet must be secured by either a leash, or in a carrier or other container and restrained in such a way so as not to cause any damage to people or the Facility. Except for service and/or guide animals, no pet is permitted in any part of the Facility, other than the Pet Area, or other areas designated and approved by Owner.

4. Owner's personnel shall avoid physical contact with any pet and shall enter the Pet Area only accompanied by the Red Cross Representative (identified in the Agreement) or Animal Welfare Organization (AWO) providing care and/or support of the pet.

5. Red Cross agrees that it, acting through the AWO, shall be responsible for sheltering, feeding, maintaining, and overseeing the welfare of the pets in compliance with all applicable laws and regulations, including but not limited to all state law and local ordinances regarding pet ownership and liability.

6. The Parties may execute and deliver this Addendum in counterparts.

7. Except as otherwise set forth in this Addendum, the terms of the Agreement remain in effect.

8. The term of this Addendum shall be coterminous with the term of the Agreement.

The Parties have executed and delivered this Addendum as of the Effective Date.

[Signatures follow on next page]

IN WITNESS WHEREOF, the Parties, acting through their duly authorized officers, have executed this Contract, which shall come into force as of the latest date of the signatures below.

OWNER	RED CROSS
Name: _____	The American National Red Cross
By: _____ Signature	By: _____ Signature
Print Name: _____	Print Name: _____
Title: _____	Title: _____

Exhibit A

Diagram of Pet Area (include location of pet waste disposal bins/areas)

Item D.

MEMORANDUM OF INSURANCE | **DATE** 16-Jul-2025

This Memorandum is issued as a matter of information only to authorized viewers for their internal use only and confers no rights upon any viewer of this Memorandum. This Memorandum does not amend, extend or alter the coverage described below. This Memorandum may only be copied, printed and distributed within an authorized viewer and may only be used and viewed by an authorized viewer for its internal use. Any other use, duplication or distribution of this Memorandum without the consent of Marsh is prohibited. "Authorized viewer" shall mean an entity or person which is authorized by the insured named herein to access this Memorandum via https://marshdigital.marsh.com/marshconnect/viewMOI.action?clientId=168915280. The information contained herein is as of the date referred to above. Marsh shall be under no obligation to update such information.

PRODUCER	COMPANIES AFFORDING COVERAGE
Marsh USA LLC ("Marsh")	Co. A Old Republic Insurance Company
INSURED American National Red Cross 431 18th Street N.W. Washington District of Columbia 20006 United States	Co. B Factory Mutual Insurance Company
	Co. C
	Co. D
	Co. E
	Co. F

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS MEMORANDUM MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS (LIMITS IN USD UNLESS OTHERWISE INDICATED)
A	**GENERAL LIABILITY** Commercial General Liability Claims made	MWZZ313806-25	01-Jul-2025	01-Jul-2026	GENERAL AGGREGATE: USD 5,000,000 PRODUCTS - COMP/OP AGG: Included PERSONAL AND ADV INJURY: USD 5,000,000 EACH OCCURRENCE: USD 5,000,000 FIRE DAMAGE (ANY ONE FIRE): See Additional Information MED EXP (ANY ONE PERSON): USD 10,000
A A	**AUTOMOBILE LIABILITY** Any Auto	MWTB313807-25 MWZX313810-25	01-Jul-2025 01-Jul-2025	01-Jul-2026 01-Jul-2026	COMBINED SINGLE LIMIT: USD 5,000,000 BODILY INJURY (PER PERSON): BODILY INJURY (PER ACCIDENT): PROPERTY DAMAGE:
	EXCESS LIABILITY				EACH OCCURENCE: AGGREGATE:
A A A A	**WORKERS COMPENSATION / EMPLOYERS LIABILITY** THE PROPRIETOR / PARTNERS / EXECUTIVE OFFICERS ARE Included	MWC313809-25 MWXS313805-25 MWFEX313804-25 MWXS316279-25	01-Jul-2025 01-Jul-2025 01-Jul-2025 01-Jul-2025	01-Jul-2026 01-Jul-2026 01-Jul-2026 01-Jul-2026	WORKERS COMP LIMITS: Statutory EL EACH ACCIDENT: USD 1,000,000 EL DISEASE - POLICY LIMIT: USD 1,000,000 EL DISEASE - EACH EMPLOYEE: USD 1,000,000
A	Auto Physical Damage	MWTB313807-25	01-Jul-2025	01-Jul-2026	Actual Cash Value Basis: Comp. Ded. USD 1,000 Coll. Ded. USD 1,000

Item D.

B	Property	1149885	01-Jul-2025	01-Jul-2026	All risks of physical loss or damage, subject to policy exclusions. Deductibles are as scheduled on the policy.	USD 150,000,000

The Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications here to are not authorized.

MEMORANDUM OF INSURANCE | **DATE** 16-Jul-2025

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PRODUCER
Marsh USA LLC
("Marsh")

INSURED
American National Red Cross
431 18th Street N.W.
Washington
District of Columbia 20006
United States

ADDITIONAL INFORMATION
Workers Compensation Policy #MWC313809-25 -
Includes Employers Liability for monopolistic states of North Dakota, Washington, Wyoming, Puerto Rico, and U.S. Virgin Islands.
Specific Excess Workers Compensation Policy #MWXS313805-25 - American National Red Cross is self-insured for Workers Compensation in the following states:
Alabama, Georgia, Massachusetts, Michigan, Missouri, Ohio, Pennsylvania, Tennessee, and Virginia. The Excess Liability limits are subject to state approved Self-Insured Retentions.

Specific Excess Workers Compensation Policy #MWFEX313804-25 -
American National Red Cross is self-insured for Workers Compensation in the following state: Florida. The Excess Liability limit is subject to a state approved Self-Insured Retention.

Specific Excess Workers Compensation Policy #MWXS316279-25-
American National Red Cross is self-insured for Workers Compensation in the following state: California. The Excess Liability limit is subject to a state approved Self-Insured Retention.

As respects to Commercial General Liability Policy #MWZZ313806-25:
$100,000 SIR applies to the Commercial General Liability Policy

Damage To Premises Rented To You Limit - USD 5,000,000 Any One Premises. This limit replaces the Fire Damage limit on page 1.

Additional Insured - Designated Person or Organization
Who is an Insured (Section II) is amended to include as an insured all persons or organizations where required by contract or agreement, but only with respect to liability arising out of the insureds operations or premises owned by or rented to the insured.

As respects to Commercial Automobile Policy #MWTB313807-25:
Additional Insured - Where Required Under Contract or Agreement (U917 8/89) -
It is agreed that this insurance is extended to include the interest of others for whom the Named Insured has agreed under contract to provide auto liability insurance. However, the insurance so provided shall not exceed the scope of

coverage and/or limits of the policy. Notwithstanding the foregoing sentence, in no event shall the insurance provided exceed the scope of coverage and/or limits required by said contract or agreement.

Lessor - Additional Insured and Loss Payee (CA 2001 10/01) -
A. Coverage
1. Any "leased auto" on file with the carrier will be considered a covered "auto" you own and not a "covered" auto you hire or borrow. For a covered "auto" that is a "leased auto", Who Is An Insured is changed to include as an "insured" the lessor as per on file with the carrier.
2. The coverages provided under this endorsement apply to any "leased auto" on file with the carrier until the expiration date, or when the lessor or his or her agent takes possession of the "leased auto", whichever occurs first.

B. Loss Payable Clause
1. We will pay, as interest may appear, you and the lessor on file with the carrier for "loss" to a "leased auto".
2. The insurance covers the interest of the lessor unless the "loss" results from fraudulent acts or omissions on your part.
3. If we make any payment to the lessor, we will obtain his or her rights against any other party.

C. Cancellation
Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

D. The lessor is not liable for payment of your premiums.

E. Additional Definition
As used in this endorsement:
"Leased auto" means an "auto" leased or rented to you, including any substitute, replacement or extra "auto" needed to meet seasonal or other needs, under a leasing or rental agreement that requires you to provide direct primary insurance for the lessor.

The Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications hereto are not authorized.

American Red Cross

Red Cross On-Site Shelter Survey Form

The Red Cross surveyor records the information on this form. (Instructions and definitions below form.)

Site Name: Warrenton Aquatic and Recreation Facility	Address: 800 Waterloo Rd, Warrenton, VA 20186
Red Cross representative: Viviana Cristian	Red Cross contact info: 434-242-5585
Person completing form: Viviana Cristian	Date completed: 7/14/2025

Check and describe all modifications that may be required to use this site as a shelter. Refer to the last page for definitions.

☐ Accessible Parking[1]	☐ Accessible Sidewalk or Walkway[2]
☐ Accessible Entrance[3]	☐ Accessible Route to Service Areas[4]
☐ Accessible Toilets[5]	☐ Distraction Reduced Area[6]
☐ Accessible Sinks[7]	☐ Accessible Shower Facilities[8]
☐ Power Supply Access[9]	☐ Refrigeration[10]

Other Needs and Details:

AREA INFORMATION:

Most facilities have multiple, separate spaces available that can be used. Record details about each area.

Area Name[11]: Studio across from lobby Length: 44 Width: 33 Sq Ft of Area: 1452

Intended Uses: ☒ Dormitory ☐ Feeding ☐ Safest Refuge[12] ☐ Reception ☐ Client Meeting Areas ☐ Pet Shelter ☐ Administration/Storage ☐ Client Isolation Area

Windows in the Area: ☒ Y ☐ N Long or Open Roof Spans in Dormitory: ☐ Y ☒ N

If any of the items below are accessible to multiple areas, please split them up amongst the areas.

Total Number of toilets: 3	Number of Accessible toilets: 1
Total Number of showers: 0	Number of Accessible showers: 0
Total Number of bathroom sinks: 3	Number of Accessible bathroom sinks: 1

To Be Used by Red Cross Surveyor

AREA INFORMATION:

Most facilities have multiple, separate spaces available that can be used. Record details about each area.

Area Name: Overage open area Length: 94 Width: 14 Sq Ft of Area: 1316

Intended Uses: ☒ Dormitory ☐ Feeding ☐ Safest Refuge ☐ Reception ☒ Client Meeting Areas ☐ Pet Shelter ☒ Administration/Storage ☐ Client Isolation Area

Windows in the Area: ☒ Y ☐ N Long or Open Roof Spans in Dormitory: ☐ Y ☒ N

If any of the items below are accessible to multiple areas, please split them up amongst the areas.

Total Number of toilets: 2 Number of Accessible toilets: 1

Total Number of showers: 0 Number of Accessible showers: 0

Total Number of bathroom sinks: 3 Number of Accessible bathroom sinks: 1

AREA INFORMATION:

Most facilities have multiple, separate spaces available that can be used. Record details about each area.

Area Name: Lobby Length: 60 Width: 28 Sq Ft of Area: 1680

Intended Uses: ☐ Dormitory ☐ Feeding ☐ Safest Refuge ☒ Reception ☒ Client Meeting Areas ☐ Pet Shelter ☐ Administration/Storage ☐ Client Isolation Area

Windows in the Area: ☒ Y ☐ N Long or Open Roof Spans in Dormitory: ☐ Y ☒ N

If any of the items below are accessible to multiple areas, please split them up amongst the areas.

Total Number of toilets: 2 Number of Accessible toilets: 1

Total Number of showers: 0 Number of Accessible showers: 0

Total Number of bathroom sinks: 3 Number of Accessible bathroom sinks: 0

Please print additional pages for each area being surveyed.

To Be Used by Red Cross Surveyor

AREA INFORMATION:

Most facilities have multiple, separate spaces available that can be used. Record details about each area.

Area Name: downstairs room by elevator Length: 24 Width: 17 Sq Ft of Area: 408

Intended Uses: ☒ Dormitory ☐ Feeding ☐ Safest Refuge ☐ Reception ☒ Client Meeting Areas ☐ Pet Shelter ☒ Administration/Storage ☒ Client Isolation Area

Windows in the Area: ☒ Y ☐ N Long or Open Roof Spans in Dormitory: ☐ Y ☒ N

If any of the items below are accessible to multiple areas, please split them up amongst the areas.

Total Number of toilets: 7 Number of Accessible toilets: 2

Total Number of showers: 8 Number of Accessible showers: 2

Total Number of bathroom sinks: 6 Number of Accessible bathroom sinks: 2

AREA INFORMATION:

Most facilities have multiple, separate spaces available that can be used. Record details about each area.

Area Name: Downstairs open area w/tables Length: 53 Width: 13 Sq Ft of Area: 689

Intended Uses: ☐ Dormitory ☒ Feeding ☐ Safest Refuge ☐ Reception ☒ Client Meeting Areas ☐ Pet Shelter ☐ Administration/Storage ☐ Client Isolation Area

Windows in the Area: ☐ Y ☒ N Long or Open Roof Spans in Dormitory: ☐ Y ☒ N

If any of the items below are accessible to multiple areas, please split them up amongst the areas.

Total Number of toilets: 6 Number of Accessible toilets: 1

Total Number of showers: 7 Number of Accessible showers: 1

Total Number of bathroom sinks: 5 Number of Accessible bathroom sinks: 1

Please print additional pages for each area being surveyed.

To Be Used by Red Cross Surveyor

DEFINITIONS

[1] Accessible Parking - The parking space surface appears level and is marked with an accessibility symbol. It is adjacent to an accessible walkway, is at least 96-inches wide and there is at least 98-inches of overhead clearance.

[2] Accessible Sidewalk or Walkway - At least 36-inches wide, level surface without hazards on the route or overhead that does not require any steps or curb to the walkway.

[3] Accessible Entrance - Entrance connected to an accessible route with a 32-inch-wide passage when the door is open. Door hardware is usable with one hand (lever, pull).

[4] Accessible Route to Service Areas - Hallways and corridors at least 36-inches wide with level surface, and no hazards on the route or overhead to all service areas. Elevator access is available when above and below ground.

[5] Accessible Toilets - Accessible entrance to the toilet area. The stall must be at least 60-inch wide and 59-inch deep with a door that swings out from the stall, grab bars, and toilet seat 17 to 19 inches above the floor.

[6] Distraction Reduced Area - Separate area from main sleeping and service areas with space for physical distancing and low lighting.

[7] Accessible Sinks - Sinks and countertops no more than 34-inches above the floor, with mirrors no more than 40 inches above the floor. There must be an open space below the sink for knee clearance at least 27-inches high and 8-inches deep

[8] Accessible Shower Facilities - Entrance to shower allows roll-in, is at least 30-inches wide and 60-inches deep, with grab bars and a seat.

[9] Power Supply Access Area - Backup source of power is available for clients with life-saving equipment.

[10] Refrigeration - Facility has refrigerator available to store life-saving medication for clients.

[11] Area Name – The surveyor should record the name used by the facility (i.e.: East Gymnasium, Cafeteria Hall, Conference Room 3, etc.)

[12] Safest Refuge Area – The designated safest area for the population to take temporary refuge during external threats such as gale force winds or tornado. Identify an interior, enclosed hallway or room which does not have windows or a wide roof span.

From: Christopher Strong - NOAA Federal
To: Johnny Switzer
Cc: Sterling Wxsupport - NOAA Service Account
Subject: Saturday storm
Date: Monday, September 8, 2025 3:16:23 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Johnny,

Hope this fits the bill for your request.

Chris Strong
NWS Baltimore/Washington

Between 4:20-4:30pm on Saturday September 6th, a severe thunderstorm moved across Warrenton, VA. Based on radar data and damage on the ground, a channel of severe, damaging winds moved across northern Warrenton from near St John the Evangelist Church on Winchester St, east to near Walker Dr and Belle Air Ln. The wind downed scattered trees and power poles along that path as the storm tracked east. Peak wind gusts in that channel of damage are estimated around 70-80mph. A *Severe Thunderstorm Warning* was issued by NWS for expected wind damage and hail for Warrenton at 3:58pm.

Chris Strong
National Weather Service
Baltimore/Washington

```
BULLETIN - IMMEDIATE BROADCAST REQUESTED
Severe Thunderstorm Warning
National Weather Service Baltimore MD/Washington DC
358 PM EDT Sat Sep 6 2025

The National Weather Service in Sterling Virginia has issued a

* Severe Thunderstorm Warning for...
  Northeastern Rappahannock County in northwestern Virginia...
  Central Fauquier County in northern Virginia...
  North central Culpeper County in northern Virginia...
  Northwestern Prince William County in northern Virginia...

* Until 445 PM EDT.

* At 357 PM EDT, a severe thunderstorm was located 8 miles northeast
  of Sperryville, or 15 miles south of Front Royal, moving east at 35
  mph.

  HAZARD...60 mph wind gusts and quarter size hail.

  SOURCE...Radar indicated.

  IMPACT...Damaging winds will cause some trees and large branches
           to fall. This could injure those outdoors, as well as
           damage homes and vehicles. Roadways may become blocked by
           downed trees. Localized power outages are possible.
```

Unsecured light objects may become projectiles.

* Locations impacted include...
  Warrenton, The Plains, New Baltimore, Calverton, Flint Hill,
  Washington, Broken Hill, Auburn, Hackleys Crossroads, Amissville,
  Casanova, Cresthill, Orlean, Turnbull, Meadowville, Rock Mills,
  Airlie, and Broad Run.

PRECAUTIONARY/PREPAREDNESS ACTIONS...

For your protection move to an interior room on the lowest floor of a building.

Large hail, damaging wind, and continuous cloud to ground lightning are occurring with this storm. Move indoors immediately. Lightning is one of nature's leading killers. Remember, if you can hear thunder, you are close enough to be struck by lightning.

&&

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9th, 2025
Agenda Title:	Emergency Management Appointment Confirmations
Requested Action:	Approve the Resolutions
Department / Agency Lead:	Office of Emergency Management
Staff Lead:	Frank Cassidy, Town Manager / Johnny Switzer, EM Coordinator

EXECUTIVE SUMMARY

The Town of Warrenton, Virginia, recognizes the importance of proactive emergency management and in 2020 established an Office of Emergency Management to address potential hazards and protect its citizens.

This report outlines the legal basis and procedural steps taken to confirm the appointments of the Director and Coordinator of Emergency Management for the Town of Warrenton. Following its designation as an independent emergency management jurisdiction by the Virginia Department of Emergency Management (VDEM), the Town is required by the Code of Virginia to appoint a Director of Emergency Management, a role held ex officio by the Town Manager, and a Coordinator of Emergency Management. This report summarizes the resolutions to formally confirm these appointments, ensuring the Town's compliance with state law and solidifying its leadership structure for emergency preparedness and response.

BACKGROUND

The Town of Warrenton established the Office of Emergency Management by amending the Town Code with the addition of Chapter 20 - Emergency Management on July 11, 2022. This action was taken in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia.

On April 22, 2025, the Virginia Department of Emergency Management designated the Town of Warrenton as an independent political subdivision for the purposes of emergency management. This designation obligates the Town to establish and maintain a comprehensive local emergency management program and a clear leadership structure as defined by state law.

STAFF RECOMMENDATION

Approve the Resolutions as written.

Service Level/Collaborative Impact

Legal and Policy Requirements for Appointments

The legal requirements for the appointment of emergency management personnel are outlined in the Code of Virginia, Title 44, Chapter 3.2.

- **Director of Emergency Management:** The Code of Virginia, § 44-146.19, establishes that the director of emergency management for a political subdivision shall be the chief executive officer. The Town of Warrenton Code of Ordinances, Chapter 20, Section 20-3, aligns with this provision by establishing that the Town Manager shall serve as the Director of Emergency Management.
- **Coordinator of Emergency Management:** The Code of Virginia, § 44-146.19.4, also stipulates that for towns with a population in excess of 5,000 having an emergency management organization separate from that of the county, the mayor or town manager shall appoint a coordinator of emergency services with the consent of the council.

Confirmation of Appointments

In accordance with these legal requirements, the following appointments are being confirmed:

1. **Francis Cassidy, Director of Emergency Management:** Mr. Cassidy serves as the Town Manager, and by virtue of this position, is the Director of Emergency Management. The Town Council resolution formally confirms this appointment as of December 12, 2023, the date of Mr. Cassidy's appointment as Town Manager. This confirmation fulfills the requirement for the Town Council to consent to the appointment of the Director and ensures the position is formally recognized within the Town's organizational structure for emergency management.
2. **Johnny Switzer, Coordinator of Emergency Management:** Mr. Switzer was assigned the role of Coordinator of Emergency Management by Director Cassidy on August 20, 2024. This appointment is made with the consent of the Town Council and meets the requirement of the Code of Virginia for a town with an independent emergency management organization.

Policy Direction/Warrenton Plan 2040

With the new designation, the Town of Warrenton must establish and maintain a comprehensive local emergency management program. Key policy directions include:

- **Appointments:** The council must confirm the appointments of Mr. Frank Cassidy as Director and Mr. Johnny Switzer as Coordinator of Emergency Management.
- **Alert System:** The establishment of an "ALERT WARRENTON" notification and emergency warning system is a priority.
- **Continuity of Operations Plan (COOP):** The town will need to review and adopt the 2025 COOP update.

Legal & Fiscal Impact

The legal requirements for the appointment of emergency management personnel are outlined in the Code of Virginia, Title 44, Chapter 3.2.

The confirmation of these appointments carries no direct fiscal impact, as the roles are designated to existing staff. However, the legal impact is significant. By formally confirming these appointments, the Town of Warrenton ensures its compliance with the Code of Virginia and the terms of its independent designation by VDEM. This action solidifies the leadership structure, which is crucial for the effective and legal operation of the Town's emergency management program.

ATTACHMENTS

1. Resolution – Confirmation of Appointment of Director of Emergency Management
2. Resolution – Confirmation of Emergency Management Coordinator

August 12th, 2025
Town Council
Regular Meeting
Res. No.

A RESOLUTION CONFIRMING THE APPOINTMENT OF JOHNNY H. SWITZER AS THE COORDINATOR OF EMERGENCY MANAGEMENT FOR THE TOWN OF WARRENTON

WHEREAS, on July 11th, 2022, the Town Council of the Town of Warrenton affirmed that pursuant to the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia, the Town Code was thereby amended by the addition of Chapter 20 - Emergency Management; and

WHEREAS, in accordance with Code of Virginia, § 44-146.19, the office of emergency management was therefore created on July 11th, 2022, and serves as the agency of emergency management for the Town of Warrenton; and

WHEREAS, the Town of Warrenton, Virginia**,** has been designated by the Virginia Department of Emergency Management as an independent political subdivision solely for the purposes of emergency management as defined in § 44-146.16 of the Code of Virginia; and

WHEREAS, Va. Code §44-146.19 requires each political subdivision to establish that the position of Director of Emergency Management, the Town appointed this role to the Town Manager, per Town of Warrenton Code of Ordinances, Chapter 20, Section 20-3; and

WHEREAS, pursuant to Va. Code §44-146.19(B)(4), the Town Manager, Frank Cassidy, assigned Johnny H. Switzer as the Coordinator of Emergency Management on August 20, 2024; and

WHEREAS, in accordance with that subsection, Mr. Switzer's role officially requires the consent of the Town Council, and the Town Council desires that Mr. Switzer be appointed to the Warrenton Emergency Management Agency as the Coordinator of Emergency Management; and

WHEREAS, the Town Council of the Town of Warrenton deems it necessary and appropriate to formally confirm the appointment of Johnny H. Switzer to the aforementioned role.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Warrenton, Virginia, that the appointment of Johnny H. Switzer as the Coordinator of Emergency Management is hereby confirmed.

BE IT FURTHER RESOLVED, that this appointment shall be effective as of August 20, 2024, the date of the Town Manager's assignment of the role, and shall remain in effect until a new appointment is made or until otherwise directed by the Town Council.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon its adoption.

ATTACHMENT: None

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

For Information:
Town Manager
Town Emergency Coordinator

ATTEST: _____
Town Recorder

August 12th, 2025
Town Council
Regular Meeting
Res. No.

A RESOLUTION CONFIRMING THE APPOINTMENT OF FRANCIS CASSIDY AS THE DIRECTOR OF EMERGENCY MANAGEMENT FOR THE TOWN OF WARRENTON

WHEREAS, on July 11th, 2022, the Town Council of the Town of Warrenton affirmed that pursuant to the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia, the Town Code was thereby amended by the addition of Chapter 20 - Emergency Management; and

WHEREAS, in accordance with Code of Virginia, § 44-146.19, the office of emergency management was therefore created on July 11th, 2022, and serves as the agency of emergency management for the Town of Warrenton; and

WHEREAS, the Town of Warrenton, Virginia, has been designated by the Virginia Department of Emergency Management as an independent political subdivision solely for the purposes of emergency management as defined in § 44-146.16 of the Code of Virginia; and

WHEREAS, Va. Code §44-146.19 requires each political subdivision to establish that the position of Director of Emergency Management, the Town appointed this role to the Town Manager, per Town of Warrenton Code of Ordinances, Chapter 20, Section 20-3; and

WHEREAS, the Town Council desires that Mr. Cassidy, as Town Manager, be appointed to the Warrenton Emergency Management Agency as the Director of Emergency Management, and Mr. Cassidy consent and agrees to the responsibilities incumbent on that office; and

WHEREAS, the Town Council of the Town of Warrenton deems it necessary and appropriate to formally confirm the appointment of Francis Cassidy to the aforementioned role.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Warrenton, Virginia, that the appointment of Francis Cassidy as the Director of Emergency Management is hereby confirmed.

BE IT FURTHER RESOLVED, that this appointment shall be effective as of December 12, 2023, the date of Mr. Cassidy's appointment as Town Manager, and shall remain in effect until a new appointment is made or until otherwise directed by the Town Council.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon its adoption.

ATTACHMENT: None

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

For Information:
Town Manager
Town Emergency Coordinator

ATTEST: _____
Town Recorder

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9, 2025
Agenda Title:	Police Department Overview
Requested Action:	Receive the report from the Police Department
Department / Agency Lead:	Police
Staff Lead:	Timothy M. Carter, Chief of Police

EXECUTIVE SUMMARY

This staff report provides an overview of the Police Department, including highlights of recent accomplishments and current initiatives.

BACKGROUND

The mission of the Warrenton Police Department is to work in partnership with the residents and businesses of our community to provide a safe and secure environment. With community service as our foundation, we are driven to enhance the quality of life by providing effective law enforcement services through transparent and impartial policing.

STAFF RECOMMENDATION

Receive the information provided. I encourage all constructive feedback.

Service Level/Collaborative Impact

The Warrenton Police Department has an authorized strength of 28 sworn officers and 4 civilian personnel, two full-time and two part-time. Currently sworn staffing is at 24 officers, two of which are in field training and two who are attending a basic law enforcement academy. Recruitment efforts are ongoing. The recruitment team is focused on hiring qualified candidates while prioritizing character over credentials, community connection, long-term mindset, and diverse skills.

Our goals are defined by our strategic plan and include:

- Proactive Public Safety Strategies
- Community Partnerships and Collaboration
- Staffing and Recruitment
- Internal Resources
- Training and Development

We continue to develop strategies to reduce crime and improve the quality of life for those who reside in and visit Warrenton. Our Traffic Safety Officer performs proactive traffic enforcement on a rotating basis in problem areas and in response to complaints, develops public safety announcements in partnership with our Public Information Office, and provides traffic safety education services to citizens, schools and businesses. We are upgrading our aging duo of police motorcycles and will be staffing a second motor unit to increase our traffic safety effectiveness. We have utilized our motor officer to supplement our patrol division during lean staffing periods and to bolster our public safety initiatives and details when necessary. We use GIS, crime data, and police officer deployment towards hot spot policing strategies to address current and emerging crime trends in our community. This includes identifying key times for calls for service and moving resources to address those times. By doing so, we were able to reduce our reportable traffic crashes and Part 1 crimes last year.

In our efforts to build community policing strategies that promote meaningful partnerships and opportunities for productive interaction with the community, we have continued to create and strengthen avenues of communication between the police department and the community. Our Community Action Team and Faith Coalition groups are vital components of our community outreach philosophy. We have expanded our Community Action Team to include local business owners.

We are developing creative ways to attract and retain qualified candidates from across the country, while still focusing close to home, who represent the diverse community we serve. We recently hired a career law enforcement professional who retired after 22 years in a metropolitan area in the mountain west region of the U.S. Having also served with a small law enforcement agency, this new hire brings valuable experience, skills, and training along with a community engagement mindset to our agency. We have continued working with the Human Capital Department to develop a career development plan designed to help our employees achieve their career goals. This plan benefits the Police Department and the Town by helping to retain top talent and foster a culture of life-long learning. As part of that plan, we recently implemented incentive pay for higher education and for foreign language skills in need by the department. Doing so will help us to recruit and retain talent and stay competitive with other law enforcement agencies.

We have worked to identify, develop, and enhance our internal programs as well, adding an internal policy review committee and a drone team. We have updated our procedures to conduct annual staff inspections, up from the accreditation standard of three years, which has the effect of helping us more frequently evaluate performance, identify deficiencies, improve operations, ensure compliance, and ensure efficient use of resources.

We have continued developing our succession planning strategy through the identification of additional key areas where the potential for lost knowledge is high, and created plans to address these areas including reimagining staffing and assigned duties to more efficiently meet our objectives. We continue to build upon our existing peer support program by adding members and increasing training opportunities while working to maintain a proper work-life balance for our employees to include adjusting scheduling while mandating employees stay within established leave caps to ensure they get sufficient time off each year.

We have further identified and developed strategies for a well-trained workforce including continual development of leadership plans for all supervisors, training tracks for all disciplines, and field training standards for newly promoted sergeants. We have also identified key training personnel to fill specialty instructor roles such as Taser, firearms, defensive tactics, baton, and Project Lifesaver, to name a few.

Having instructors trained in these specialties enhances their development, increases efficiency for the department vs. having to send our employees elsewhere for training, and helps fulfill our commitment to our regional law enforcement academy to assist them with training new recruits.

In 2024 the police department saw an increase of 28% in total calls for service. A 47% increase in self-initiated activity was mostly a by-product of filling sworn vacancies, completing field training activities, and officers gaining more experience. Through our proactive traffic safety efforts, we saw a 3% decrease in reportable traffic accidents but have already seen an increase in 2025 in this category, partially due to the effects of roadway construction activities and increased traffic volume. As a result, we redoubled our traffic safety efforts leading to a 27% increase in traffic summons issued, a 48% increase in written warnings issued, and a 58% decrease in DUIs. These efforts are significant given the PD's loss of eight officers since January 2024, a 29% reduction in sworn staffing, after a loss of six officers in 2023, a 21% reduction.

The Police Department has also increased its use of technology to accomplish its public safety goals. To be more fiscally responsible, we upgraded our Taser electronic control devices to a contract plan which provides warranty and maintenance services, periodic upgrading of our equipment, and save thousands of dollars over the life of the contract. We moved to an electronic field training program for our personnel, while repurposing existing computer equipment, to more effectively and efficiently train our officers while spending less staff time and less money vs. old pen and paper methods.

Policy Direction/Warrenton Plan 2040

The Police Department is focused on accomplishing the goals set forth in Plan Warrenton 2040. In particular, the Police Department meets goal CF-2 by its responsive nature, community engagement, and the effectiveness of its programs. Goal CF-2.1 is met through the Department providing an acceptable level of service through the proper staffing and acceptable response times. And Goal CF-2.5 is met through the Department's continued cooperative agreements with the Fauquier County Sheriff's Office, Fauquier County Department of Social Services, and other County agencies to meet the public safety needs of the community.

Fiscal Impact

There is no fiscal impact to the Town at this time. The Warrenton Police Department is implementing the aforementioned programs and initiatives using current funding sources.

Legal Impact

There is no legal impact to the Town at this time.

ATTACHMENTS

None

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9, 2025
Agenda Title:	Police Department Financial Overview
Requested Action:	For information only
Department / Agency Lead:	Finance & Procurement
Staff Lead:	Brooke Campbell, Budget Manager

EXECUTIVE SUMMARY

Each month from August through January we will provide financial overviews of one or more departments as part of the council meeting agenda. The purpose of the financial overview is to provide a detailed look into each department's budget. Each financial overview will contain line-by-line detail on the relevant department's budget, a chart summarizing the trend in actual expenditures, and a chart summarizing budget versus actual spending. Departments will provide separate reports and presentations detailing their operations.

As a result, each department will have the opportunity to present, and the council will have the opportunity to review their financial information before the delivery of the proposed budget on April 1st.

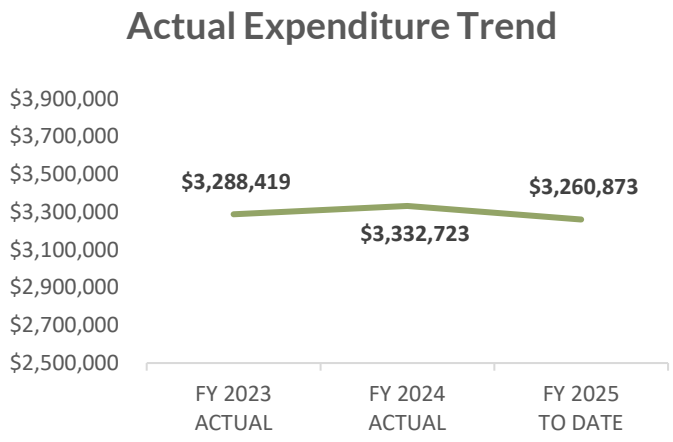
BACKGROUND

The police department is responsible for law enforcement, public safety services, and crime prevention. The police department budget captures both the cost to operate the department as well as the cost of the department staff, which consists of 28 sworn officers, two (2) administrative full-time employees, and two (2) part-time employees.

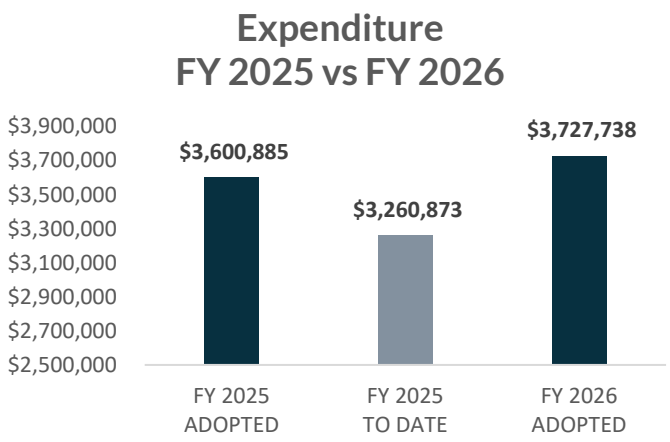
The below tables and charts provide a financial summary of the police department.

Expenditure

ACCOUNT NAME	FY 2023 ACTUAL	FY 2024 ACTUAL	FY 2025 ADOPTED	FY 2025 TO DATE	FY 2026 ADOPTED
PERSONNEL SUBTOTAL	*3,055,499*	*3,146,879*	*3,365,473*	*3,037,931*	*3,472,295*
PROFESSIONAL SERVICES	15,558	8,900	14,450	7,932	9,050
ACCREDITATION FEES	1,477	7,635	5,000	1,271	5,000
CONTRACTUAL REPAIR/MAINTENANCE	67,570	29,528	27,500	29,926	34,725
PRINTER LEASE	601	601	750	601	750
TRAINING	43,227	23,809	31,926	34,781	37,500
TRAVEL	22,991	5,388	16,000	18,463	20,000
PURCHASING	58,202	72,145	78,950	57,645	80,050
POLICE SUPPLIES	5,174	14,932	37,516	48,155	43,150
MEMBERSHIPS & DUES	12,619	12,133	12,545	13,103	14,218
CIT COORDINATOR CONTRIBUTION	5,500	5,775	5,775	6,064	6,000
E-911 SYSTEM CONTRIBUTION	-	5,000	5,000	5,000	5,000
TOTAL	$ 3,288,419	$ 3,332,723	$ 3,600,885	$ 3,260,873	$3,727,738



In FY 2024, expenses increased 1.3% or $44,304 over FY 2023. FY 2025 expenses have decreased by 2.2% or $71,850 over FY 2024.



In FY 2025, the total adopted budget for the police department was $3,600,885. FY 2025 expenses to date have totaled $3,260,873. The FY 2026 adopted budget for the department is $3,727,738.

Current Capital Asset Replacement Plan (CARP) Projects - PD

Project Name	FY26 2025-26	FY27 2026-27	FY28 2027-28	FY29 2028-29	FY30 2029-30	FY31 2030-31	Total
Fleet Management Vehicles: Police	$ 121,741	$ 180,000	$ 180,000	$ 120,000	$180,000	$ -	$ 820,000
Public Safety Radio Replacements	112,000	77,000	84,000	77,000	84,000	189,000	623,000
Secure Police Parking Area	-	82,688	-	-	-	-	82,688
WPD HVAC Replacement	250,000	210,000	50,000	-	-	-	510,000

STAFF RECOMMENDATION

ATTACHMENTS

None.

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9, 2025
Agenda Title:	Information Technology Department Overview
Requested Action:	For information only
Department / Agency Lead:	IT
Staff Lead:	Jonathan Stewart, Director of Information Technology

EXECUTIVE SUMMARY

This staff report provides an overview of the Information Technology Department and its operations and future strategic goals.

BACKGROUND

The IT department comprises five full-time staff including a helpdesk administrator, network engineer, systems administrator, audio video specialist, and administrative assistant. The IT Strategic Plan includes four overarching IT Modernization Strategies based upon industry best practices, which highlight the essential framework for a resilient, secure, efficient, and transparent technology infrastructure at the Town of Warrenton

The IT department's primary role is to support the Town in providing public safety, economic opportunity, and quality public services in an attractive, well-planned community with historic character for the benefit, enjoyment, and accessibility of all. Building on industry best practices, the Information Technology Department seeks to strategically use resources to provide high-level services in a cost-effective manner and encourage opportunities, services, and infrastructure that allow people of all means to live, work, and visit.

In the past year, the IT department has handled over 2750 requests for service with an average completion time of two days per request.

STAFF RECOMMENDATION

At this time no recommendations are considered for the department.

Service Level/Collaborative Impact

We partner with every Town department to plan, deliver, and support technology that advances their work. Through regular check-ins, shared project plans, and transparent ticketing, we align priorities, resolve issues quickly, and keep initiatives.

Policy Direction/Warrenton Plan 2040

The information technology department is focused on accomplishing the goals outlined in Plan Warrenton 2040, particularly by working towards CF-1.2 in providing technology that promotes efficiencies for services rendered to Town citizens. Goal CF-2.2. is met by incorporating industry-standard security measures to protect citizens and staff. IT is also working to meet the goals of transportation T-1.1 by working with Public Works personnel to deploy smart mobility technologies.

Fiscal Impact

Currently no recommendations are considered for the department.

Legal Impact

There is no legal impact to the Town at this time.

ATTACHMENTS

None

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9, 2025
Agenda Title:	Information Technology (IT) Department Financial Overview
Requested Action:	For information only
Department / Agency Lead:	Finance & Procurement
Staff Lead:	Brooke Campbell, Budget Manager

EXECUTIVE SUMMARY

Each month from August through January we will provide financial overviews of one or more departments as part of the council meeting agenda. The purpose of the financial overview is to provide a detailed look into each department's budget. Each financial overview will contain line-by-line detail on the relevant department's budget, a chart summarizing the trend in actual expenditures, and a chart summarizing budget versus actual spending. Departments will provide separate reports and presentations detailing their operations.

As a result, each department will have the opportunity to present, and the council will have the opportunity to review their financial information before the delivery of the proposed budget on April 1st.

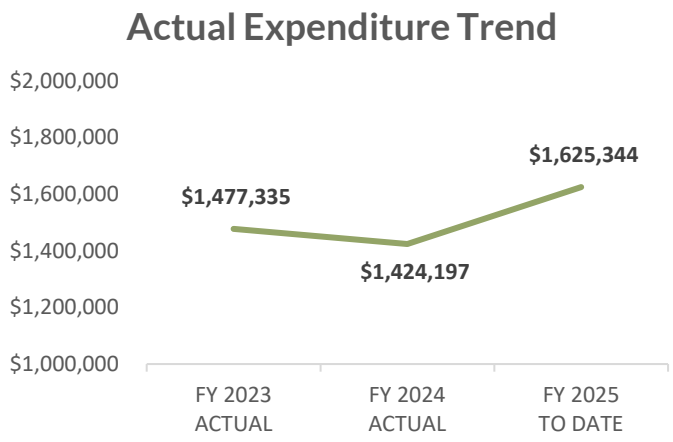
BACKGROUND

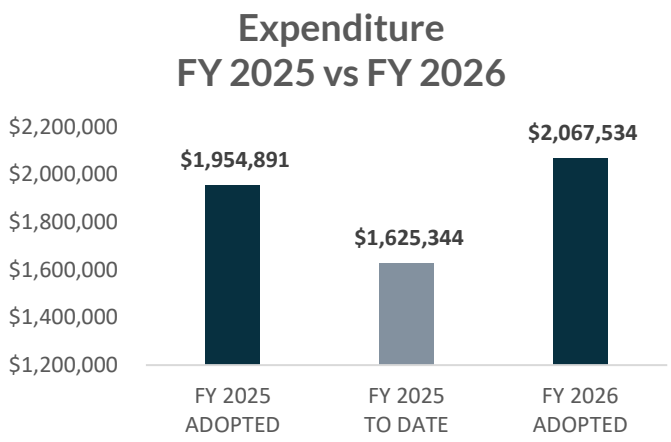
The IT department is part of the General Government Administration functional area for budgetary purposes. The IT budget captures the cost to provide IT services across all Town departments, including the cost of six (6) full-time employees.

The below tables and charts provide a financial summary of the IT department.

Expenditure

ACCOUNT NAME	FY 2023 ACTUAL	FY 2024 ACTUAL	FY 2025 ADOPTED	FY 2025 TO DATE	FY 2026 ADOPTED
PERSONNEL SUBTOTAL	*509,482*	*496,275*	*715,508*	*693,800*	*751,183*
PROFESSIONAL SERVICES	225,640	23,066	104,100	35,597	81,900
CYBERSECURITY	8,899	614	7,100	13,272	15,664
MAINTENANCE CONTRACTS	457,168	597,238	788,435	582,595	891,118
COMMUNICATION	136,684	135,967	143,000	117,456	143,000
MOBILE DEVICES/CELL PHONES	83,603	96,937	99,600	95,047	99,600
PRINTER LEASE	24,908	35,087	32,088	38,766	35,669
TRAINING	751	535	10,000	1,460	10,840
PURCHASING	524	1,696	3,560	2,232	3,560
COMPUTER EQUIPMENT	29,675	36,782	51,500	45,119	35,000
TOTAL	$ 1,477,335	$ 1,424,197	$ 1,954,891	$ 1,625,344	$2,067,534





In FY 2024, expenses decreased 3.6% or $53,139 over FY 2023. FY 2025 expenses have increased 14% or $291,148 over FY 2024. Please note that in FY 2024 IT personnel costs were allocated across funds. Starting in FY 2025, all IT personnel costs are captured in this department and enterprise funds provide a transfer to the General Fund to account for services provided.

In FY 2025, the total adopted budget for the IT department was $1,954,891. FY 2025 expenses to date total $1,625,344 The FY 2026 adopted budget for the department is $2,067,534.

Current Capital Asset Replacement Plan (CARP) Projects - IT

Project Name	FY26 2025-26	FY27 2026-27	FY28 2027-28	Total
IT Infrastructure	$ 35,000	$ 77,550	$ 84,205	$ 196,755
Enterprise Resource Planning System	300,000	500,000	100,000	900,000

STAFF RECOMMENDATION

ATTACHMENTS

None.

Community Development Department

STAFF REPORT

Town Council Meeting Date:	September 12, 2025
Agenda Title:	Planning Commission Update
Requested Action:	Informational Purposes
Staff Lead:	Denise Harris, Planning Manager

EXECUTIVE SUMMARY

The Planning Commission held their Regular Meeting on Tuesday, August 19, 2025. On the agenda were three work sessions, including:

- LWAV 2025-02 Daniels Property at 545 Old Meetz Road: The applicant is seeking a legislative waiver from the Subdivision Ordinance to allow for a cul-de-sac on a by-right residential subdivision. This application will go to public hearing before the Planning Commission at their September meeting.
- Zoning and Future Land Use Map Update: Per the Zoning Ordinance, the Planning Commission has one calendar year to recommend zoning classifications for annexed property. The Planning Commission is reviewing the six parcels annexed into the Town, effective June 1, 2025, that are not part of the court ordered zoning classified by the Arrington rezoning. The Planning Commission will hold a second work session at its September meeting.
- Training Budget: The Planning Commission discussed their training budget and how they would like to use the monies this year. In the past, the Planning Commission has attended professional planning conferences, participated in certified planning commissioner training, and conducted field trips to other jurisdictions to meet with local planning commissioners and learn from peer communities.

BACKGROUND

Attached are the draft August 19, 2025, meeting minutes. The Town website contains the agenda, meeting materials, and a video recording of the meeting.

STAFF RECOMMENDATION

For Informational Purposes.

PLANNING COMMISSION REGULAR MEETING

21 Main Street

Tuesday, August 19, 2025, at 7:00 PM

MINUTES

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON AUGUST 19, 2025, at 7:00 PM

Regular Meeting

PRESENT	Mr. Ryan Stewart, Chair; Ms. Darine Barbour, Secretary; Mr. Steve Ainsworth; Mr. James Lawrence; Ms. Denise Harris, Planning Manager; Ms. Heather Jenkins, Zoning Administrator; Mr. Patrick Corish, Associate Town Attorney
ABSENT	Mr. Terry Lasher, Vice Chair

The minutes laid out will be a brief recap of the agenda items. Please see recorded video for more in-depth information.

CALL TO ORDER AND ESTABLISHMENT OF A QUORUM.

The meeting opened at 7:00 PM by Chair Stewart and declared a quorum present.

ADOPTION OF MINUTES

Commissioner Lawrence moved to approve the May 20, 2025, meeting minutes. The motion was seconded by Commissioner Ainsworth. The motion passed 4-0 (Lasher absent).

WORK SESSIONS.

1. LWAV-25-2 – Daniels Property – An Exception to Authorize a Dead-End Street (Cul-de-Sac) for an Eight-Lot Residential Subdivision Per Subdivision Ordinance Section 2.7 *Variations and Exceptions* and Section 4.2.10 *Streets.* The Applicant is requesting approval of an exception to the Subdivision Ordinance prohibition of dead-end (cul-de-sac) streets for an eight-lot residential subdivision, located at 545 Old Meetze Road, PIN's 6984-60-9026-000, 6984-70-1108-000 and 6984-70-2394-000. Consisting of a total of 5.34 acres split-zoned to the R-6 and R-15 Residential Districts, the proposed subdivision consists of a by-right development of the subject property, with the sole exception of the requested cul-de-sac exception. (William Daniels LLC, Owner; Marc Simes, Tricord Inc., Applicant).

Ms. Heather Jenkins, Zoning Administrator, gave an overview of the application.

Chair Stewart opened the floor up to questions of staff.

Commissioner Lawrence inquired about the design standards of the future John Williams Way.

Commissioner Ainsworth sought confirmation that John Williams Way will intersect with E. Lee Street at Walker Drive.

Chairman Stewart confirmed that Monroe Estates and Warrenton Crossing were both envisioned to be interconnected.

Commissioner Lawrence reviewed how the residents are notified for the future public hearings.

Commissioner Ainsworth questioned Mr. Corish if the impact of a road connection to Falmouth Street on the two adjacent properties could be considered a hardship.

Mr. Corish indicated that hardships are normally considered for the applicant; however, in this case the external factors of a hardship on the adjacent properties could be a consideration.

Commissioner Lawrence asked if the road connection was made to Falmouth Street would the two adjacent properties be forced to rectify the non-conformities on their properties.

Ms. Jenkins stated no. The adjacent properties would become non-conforming if a connection was made to Falmouth Street. The impact would be if there was a future desire to improve the properties with home additions or decks as the setbacks are impacted.

Chairman Stewart asked if the Planning Commission was ready for a public hearing next month. With no objections, staff was directed to schedule the public hearing for the application in September.

2. Zoning and Future Land Use Map Update –

Ms. Denise Harris reviewed that effective June 1, 2025 the Town of Warrenton increased its boundaries. The Zoning Ordinance Article 2-5.4 states the Planning Commission shall prepare and present recommended zoning classification to the Town Council within twelve (12) months of the effective date of the annexation or boundary line adjustment. Some parcels in this boundary line adjustment are subject to a court ordered zoning classification. She gave a presentation highlighting each subject parcel and asked the Planning Commission for guidance on how they would like to proceed.

Commissioner Ainsworth asked for clarification on the Character Districts of Plan Warrenton 2040. Ms. Harris reviewed the adopted Urban Development Areas and Character Districts history.

The Planning Commission questioned what the intent was for the two parcels owned by Van Metre but not part of the Arrington rezoning with the court order to be administered as PRD and Commercial.

Tom Marble, representative for Van Metre, explained the northern parcel was boundary lined adjusted to allow for the connector road to be adjusted to the west to avoid environmentally sensitive areas, while the southern 0.5 acre parcel was boundary line adjusted to create a consistent western border.

Commissioner Lawrence expressed an interest in reviewing the land uses with photos of each parcel. Van Metre agreed to provide an overview at the next work session of their properties.

The Planning Commission directed staff to schedule a second work session and stated the intent to move the recommended zoning and Future Land Use Map amendment forward concurrently.

3. Training Budget Discussion.

DRAFT

Chairman Stewart reviewed the Planning Commission is budgeted funds for training each fiscal year and asked how the Planning Commission might like to move forward this year. In previous years the Planning Commission has attended professional planning conferences, participated in certified planning commissioner training, and conducted field trips to other jurisdictions to meet with local planning commissioners and learn from peer communities. Secretary Barbour expressed interest in attending the VML conference in early October. Chairman Stewart asked the Planning Commission to think about training options and come back to the September meeting prepared to discuss further.

COMMENTS FROM THE COMMISSION.

Secretary Barbour asked for an update on the Broadview Safety Improvement Project regarding the newly installed lights.

COMMENTS FROM THE STAFF.

Ms. Denise Harris reviewed the Ward 2 community meeting from August 18th with the Commission, covered the applications coming before the Planning Commission, and gave an update on the Zoning Ordinance update.

ADJOURN.

Commissioner Lawrence moved to adjourn the meeting; Secretary Barbour seconded the motion. With no further business, the Chair Stewart adjourned at 8: 13 PM.

I hereby certify that this is a true and exact record of actions taken by the Planning Commission of the Town of Warrenton on August 19, 2025.

_____

Darine Barbour, Secretary
Planning Commission

DRAFT

DRAFT

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
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William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9th, 2025
Agenda Title:	VDOT SGR FUNDS (Broadview Avenue)
Requested Action:	Consider Approval of the Resolution & VDOT Agreement
Department / Agency Lead:	Public Works
Staff Lead:	Michael Wharton, Project Coordinator

EXECUTIVE SUMMARY

The Town was awarded $57,995 from the VDOT State of Good Repair fund. These include the resurfacing of the following sections of roadways within Town limits:

- Broadview Avenue Northbound Lane from Town Limits to 0.015 miles South of Town Limits
- Broadview Avenue Southbound Lane from Town Limits to 0.033 miles South of Town Limits

VDOT requires a resolution passed and a signed agreement for the local jurisdiction to move forward with the projects. The resolution and agreement are standard format for VDOT on these projects. Once the resolution is passed and the agreement is signed and returned to VDOT, VDOT will obtain all necessary signatures from the appropriate VDOT personnel to be executed.

This is standard procedure for these types of projects. There are no costs to the Town for these projects as outlined in Appendix A in the VDOT agreement package attached. The projects are placed on VDOT calendar to be completed within six years of authorization.

BACKGROUND

The Town applied for State of Good Repair projects in October 2024. This project was submitted as part of the continuing resurfacing projects within Town limits based upon the conditions of roadways and the availability of funds through VDOT. The Town was awarded these projects on August 18, 2025.

STAFF RECOMMENDATION

Staff recommend that the Council consider adoption of the following resolution to appropriate the SGR funds:

1. A Resolution to Amend the Fiscal Year 2025 Adopted Budget to Appropriate Virginia Department of Transportation Grant Funding in the Amount of $57,995 to Fund Resurfacing of Roadways within Town Limits

Service Level/Collaborative Impact

Public works and VDOT are the main parties affected by this agreement.

Policy Direction/Warrenton Plan 2040

T-1: Improve multi-modal capacity and safety that encourages trips by walking, bicycling, and transit.

T-2: Enhance the traveling experience by creating great streets.

T-3: Promote livability in the Town by creating great places where residents and visitors feel welcome and safe.

T-4: Provide an equitable and connected Multi-Modal Network.

Fiscal Impact

No impact, the project is fully funded by VDOT.

Legal Impact

None

ATTACHMENTS

1. UPC 127673 Agreement Package
2. Resolution to Amend FY-25 Budget

STANDARD PROJECT ADMINISTRATION AGREEMENT
State-aid Projects

Project Number	UPC	Local Government
0017-156-335	127673	TOWN OF WARRENTON

THIS AGREEMENT, is hereby made and effective the date of the last (latest) signature set forth below, by and between the TOWN OF WARRENTON, VIRGINIA, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT. The DEPARTMENT and the LOCALITY are collectively referred to as the "Parties."

WHEREAS, the LOCALITY has expressed its desire to administer the work described in Appendix A, and such work for each improvement shown in Appendix A is hereinafter referred to as the "Project;" and

WHEREAS, the funds shown in Appendix A have been allocated to finance the Project and the funding currently allocated or proposed for the Project does not include Federal-aid Highway funds; and

WHEREAS, the LOCALITY is committed to the development and delivery of the Project in an expeditious manner; and

WHEREAS, the LOCALITY is responsible for administering the Project in accordance with DEPARTMENT guidelines, including the most current *Locally Administered Projects Manual* ("LAP Manual"), and with the program specific requirements shown in Appendix B, based on the nature of the allocated funding for the Project as shown in the Appendix A; and

WHEREAS, the LOCALITY's governing body has by resolution, demonstrated the LOCALITY'S commitment to provide local funding for the Project as contemplated by this Agreement and further, by resolution or otherwise, authorized its designee to execute this Agreement, and said authorizations are attached hereto.

WHEREAS, the Parties have concurred in the LOCALITY's administration of all phases of work for the Project in accordance with applicable federal, state and local laws and regulations.

NOW THEREFORE, in consideration of the mutual premises contained herein, the Parties hereto agree as follows:

1. The representations, covenants and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section 1.

2. The LOCALITY shall:

a. Be responsible for all activities necessary to complete the noted phase(s) of the Project as shown in Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as expressly required by federal or state laws and regulations, or as otherwise agreed to, in writing, between the Parties. Every phase of the Project will be designed and constructed to meet or exceed current American Association of State Highway and Transportation Officials standards when the facilities are locally maintained and shall further comply with all supplementary standards established by the DEPARTMENT when the facilities are maintained by the DEPARTMENT.

b. Meet all funding obligation and expenditure timeline requirements in accordance with all applicable federal and state laws and regulations, all applicable Commonwealth Transportation Board and DEPARTMENT policies, and those additional requirements as identified in Appendices A and B to this Agreement. Noncompliance with this requirement may result in deallocation of the funding from the Project, rescission of state funding match, termination of this Agreement, or the DEPARTMENT denial of future requests to administer projects by the LOCALITY, all of which actions are at the discretion of the DEPARTMENT or as can be taken pursuant to applicable laws, regulations or policies.

c. Administer the Project in accordance with the DEPARTMENT's most current LAP Manual and other guidelines applicable to Locally Administered Projects as published by the DEPARTMENT.

d. Provide timely certification by a LOCALITY official of the LOCALITY'S compliance with applicable laws and regulations on the **State Certification Form for State Funded Projects** or in another manner as prescribed by the DEPARTMENT.

e. Maintain accurate and complete records of the Project's development as required in the LAP Manual and any supplemental guidance and directives of the DEPARTMENT and retain documentation of all expenditures and make such information available for inspection or auditing by the DEPARTMENT upon request. Records and documentation for the Project shall be maintained for no less than three (3) years following the DEPARTMENT'S acceptance of the final voucher on the Project.

f. At least quarterly, but no more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of vendor and contractor invoices paid by the LOCALITY, an up-to-date Project summary and schedule, and a summary of all payment requests, payments and adjustments. A request for reimbursement shall be made within 90 days after any eligible project expenses are incurred by the LOCALITY. Reimbursement for eligible expenditures shall not exceed funds allocated each year for the Project by the Commonwealth Transportation Board in the Six Year Improvement Program.

g. Reimburse the DEPARTMENT for all Project expenses incurred by the DEPARTMENT if, due to action or inaction of the LOCALITY, the Project becomes ineligible for state reimbursement, or in the event the reimbursement is required by the provisions of § 33.2-214 or § 33.2-331 of the Code of Virginia (1950) as amended, or other applicable provisions of state law or regulations.

h. On Projects that the LOCALITY is providing the required match to state funds, pay the DEPARTMENT the LOCALITY's match for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 2.a.

i. Administer the Project in accordance with all applicable federal, state, and local laws and regulations. Failure to fulfill legal obligations associated with the Project may result in forfeiture of state-aid reimbursements

j. If legal services other than that provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the Project.

3. The DEPARTMENT shall:

a. Perform any actions and provide any decisions and approvals, within a reasonable time, which are the responsibility of the DEPARTMENT, as required by federal and state laws and regulations or as otherwise agreed to, in writing, between the parties.

b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 2.f, reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.

c. Where applicable, submit invoices to the LOCALITY for the LOCALITY's share of eligible Project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a. and 3.a.

d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with applicable laws and regulations.

e. Upon LOCALITY'S request, make available to the LOCALITY guidelines to assist the Parties in carrying out responsibilities under this Agreement.

4. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to § 33.2-1011 of the Code of Virginia (1950), as amended.

5. Nothing in this Agreement shall obligate the Parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. State and federal Project funding is limited to those identified in the Appendix A of this Agreement and is allocable only upon LOCALITY'S compliance with all requirements of this Agreement. In the event the cost of all or part of the Project is anticipated to exceed the allocation shown on Appendix A, the Parties agree to cooperate in seeking additional funding for the Project or to terminate the Project before Project costs exceed the allocated amount. Any requested increase in federal or state funding is subject to DEPARTMENT policy and procedures applicable to the funding source and is not guaranteed.

6. Nothing in this Agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.

7. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and capacity and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either Party, in their individual or personal capacity, for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.

8. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than the Parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, received a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.

9. This Agreement may be terminated by either Party upon 30 days advance written notice to the other Party. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs, 2.g., 2.h, and 3.b, subject to the limitations established in this Agreement and Appendix A. Upon termination and unless otherwise agreed to, the DEPARTMENT shall retain ownership of plans, specifications, and right of way for which state funds have been provided, unless all state funds provided for the Project have been reimbursed to the DEPARTMENT by the LOCALITY, in which case the LOCALITY will have ownership of the plans, specifications, and right of way.

10. Prior to any action pursuant to paragraphs 2.b or 2.h of this Agreement, the DEPARTMENT shall provide notice to the LOCALITY with a specific description of the LOCALITY'S breach of this Agreement. Upon receipt of a notice of breach, the LOCALITY will be provided the opportunity to cure such breach or to provide a plan to cure to the satisfaction to the DEPARTMENT. If, within sixty (60) days after receipt of the written notice of breach, the LOCALITY has neither cured the breach, nor is diligently pursuing a cure of the breach to the satisfaction of the DEPARTMENT, then upon receipt by the LOCALITY of a written notice from the DEPARTMENT stating that the breach has neither been cured, nor is the LOCALITY diligently pursuing a cure, the DEPARTMENT may exercise any remedies it may have under this Agreement or at law or in equity.

11. THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the Parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any Party.

12. THE LOCALITY and the DEPARTMENT further agree that should Federal-aid Highway funds be added to the Project, this Agreement is no longer applicable. The LOCALITY and the DEPARTMENT mutually agree that they shall then enter into a Standard Project Administration Agreement for Federal-aid Projects upon execution of which this Agreement shall be terminated.

13. THIS AGREEMENT, when properly executed, shall be binding upon both Parties, their successors, and assigns.

14. THIS AGREEMENT may be modified only in writing by mutual agreement of the Parties.

15. THIS AGREEMENT may be executed in multiple counterparts by digital or wet signature or a combination thereof. All counterparts together constitute one single, legally binding agreement. Electronic copies of this AGREEMENT, and scanned and transmitted signatures, including those sent as email attachments, shall be considered originals for the purposes of this AGREEMENT.

The remainder of this page is BLANK

IN WITNESS WHEREOF, each Party hereto has caused this Agreement to be executed by their duly authorized representatives, acknowledging and agreeing that any digital signature affixed hereto shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature.

TOWN OF WARRENTON, VIRGINIA:

Signature Date

Title

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this Agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

Signature Date

Chief of Policy, Commonwealth of Virginia, Department of Transportation

Attachments

Appendix A
Appendix B

Appendix A - Locally Administered

Version: Original Prepared Date: 8/14/2025

Project Details

UPC: 127673 *State Project #:* 0017-156-335 *CFDA #:* 20.205 *Locality UEI #:* CV82QQPKJWJ9

Locality: Town of Warrenton *Address:* 21 Main St., Warrenton, VA 20186-3419

Work Description: #SGR26LP- RTE 17 BUSINESS SGR PAVING *Project Location (Zip +4)* 20186-2007

Project Points of Contact

Locality Project Manager	
Name:	Michael Wharton
Phone:	540-714-9234
Email:	MWHARTON@WARRENTONVA.GOV

VDOT Project Coordinator	
Name:	John Price
Phone:	540-347-6371
Email:	John.Price@VDOT.Virginia.gov

Project Estimates

	Preliminary Engineering	Right of Way and Utilities	Construction	Total
Estimated Locality Project Expenses	$0	$0	$55,595	$55,595
Estimated VDOT Project Oversight	$0	$0	$2,400	$2,400
Estimated VDOT Project Services (Appendix C)	$0	$0	$0	$0
Estimated Total Project Costs	$0	$0	$57,995	$57,995

Project Financing

Allocated Funds Type	Allocated Funds Amount	Local % Participation	Local Share Total	Max Reimbursement to Locality	Total Estimated Reimbursement to Locality
SGR	$57,995	0%	$0	$57,995	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
Funding Totals	$57,995		$0	$57,995	$55,595

Note - The funds order is not indicative of the actual spend order of funds on the project.

This Appendix A supersedes all previous versions signed by VDOT and the LOCALITY for the Project.

Authorized Locality Official Date

Authorized VDOT Official Date

Printed Name of Locality Official

Printed Name of VDOT Official

Title of Locality Official

Title of VDOT Official

This attachment is certified and made an official attachment to this document by the Parties to this Agreement.

Appendix B – Special Funding Program Conditions and Requirements

Project Number	UPC	Local Government
0017-156-335	127673	TOWN OF WARRENTON

SMART SCALE

Administration of this Project, including but not limited to the Project estimate, schedule and commitment to funding, is subject to the requirements established in the Commonwealth Transportation Board's (CTB's) most current *Policy for Implementation of the SMART SCALE Project Prioritization Process*, the applicable requirements of the Code of Virginia, and VDOT's applicable *Instructional and Informational Memoranda*.

Without limiting the foregoing, this Project has been selected through the Smart Scale (HB2) application and selection process and will remain in the Six-Year Improvement Plan (SYIP) as a funding priority unless certain conditions set forth in the CTB's most current *Policy for Implementation of a Project Prioritization Process* arise. Pursuant to the CTB's *Policy for Implementation of a Project Prioritization Process*, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent SMART SCALE prioritization cycle to account for a cost increase on a previously selected Project.

This Project shall be initiated and at least a portion of the Project's programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the CTB, the LOCALITY or the localities within the metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the DEPARTMENT for all state and federal funds expended on the Project.

Transportation Alternatives Program

This Project shall be administered in accordance with VDOT's most current *Transportation Alternatives Program Guide.*

Without limiting the foregoing, CTB policy for allocations from the Transportation Alternatives Programs requires that the Project must be advertised or otherwise under construction within four years of the initial Project allocation or otherwise be subject to deallocation, unless prior Department approval has been provided.

The DEPARTMENT shall conduct all environmental studies necessary to complete an environmental document in compliance with the National Environmental Policy Act, unless otherwise agreed to in writing and attached to this Agreement. The LOCALITY is responsible for implementing any environmental commitments resulting from the environmental studies. In addition, the LOCALITY is responsible for obtaining any water quality permits and conducting

any required hazardous materials due diligence efforts. VDOT's estimated cost for the environmental studies and submissions will be provided to the LOCALITY and deducted from the Project funds.

Regional Surface Transportation Program (RSTP)

Allocated Regional Surface Transportation Program funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Congestion Mitigation Air Quality (CMAQ)

Allocated Congestion Mitigation and Air Quality Program funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Revenue Sharing

This Project shall be administered in accordance with VDOT's most current *Revenue Sharing Program Guidelines.*

Without limiting the foregoing, the Project shall be initiated such that at least a portion of the Revenue Sharing Funds are expended within one year of allocation. For any project that has not been initiated within one year, the CTB has the discretion to defer consideration of future allocations until the Project moves forward. Further, if the Project has not been initiated within two fiscal years subsequent to the allocation of Revenue Sharing Funds, the Revenue Sharing Funds for the Project may be subject to deallocation from the Project at the discretion of the CTB.

State of Good Repair (SGR) Bridge

Project estimate, schedule, and commitment to funding are subject to the requirements established in the CTB's *State of Good Repair Program Prioritization Process Methodology*, the Code of Virginia, and VDOT's *Instructional and Informational Memoranda*.

Projects receiving funding under this program must initiate the Preliminary Engineering or the Construction Phase within 24 months of award of funding or become subject to deallocation. In the event the Project is not advanced to the next phase of construction, the LOCALITY may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the Project.

This Project has been selected through the State of Good Repair application and selection process and will remain in the SYIP as a funding priority. Pursuant to the CTB's *State of Good Repair Program Prioritization Process Methodology*, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual State of Good Repair prioritization cycle for the same bridge structure to account for a cost increase on a previously selected Project.

State of Good Repair (SGR) Paving

Project estimate, schedule, and commitment to funding are subject to the requirements established in the CTB's *State of Good Repair Program Prioritization Process Methodology*, the Code of Virginia, and VDOT's *Instructional and Informational Memoranda*.

Projects receiving funding under this program must be advertised within twelve months of award funding or be subject to deallocation. In the event the Project is not advanced to the next phase of construction, the LOCALITY may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the Project.

This Project has been selected through the State of Good Repair application and selection process and will remain in the SYIP as a funding priority. Pursuant to the CTB's State of Good Repair Program Prioritization Process Methodology, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual State of Good Repair prioritization cycle for the same roadway segment to account for a cost increase on a previously selected Project.

Economic Access

This Project shall be administered in accordance with VDOT's most current *Economic Development Access Program Guide.*

Airport Access

This Project shall be administered in accordance with VDOT's most current *Airport Access Program Guide.*

Recreational Access

This Project shall be administered in accordance with VDOT's most current *Recreational Access Program Guide.*

Highway Safety Improvement Program (HSIP)

Allocated Highway Safety Improvement Program (HSIP) funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Local Funds

All local funds included in Appendix A have been formally committed by the LOCALITY board or council, subject to appropriation.

_____

Authorized Locality Official Signature and Date

_____

Printed Name of Locality Official

September 9, 2025
Town Council
Regular Meeting
Res. No.

A RESOLUTION TO AMEND THE FISCAL YEAR 2026 ADOPTED BUDGET TO APPROPRIATE VIRGINIA DEPARTMENT OF TRANSPORTATION GRANT FUNDING IN THE AMOUNT OF $57,995 TO FUND RESURFACING OF ROADWAYS WITHIN TOWN LIMITS

WHEREAS, the Warrenton Town Council is charged by the Code of Virginia with the preparation of an annual budget for the Town of Warrenton; and

WHEREAS, on September 9, 2025, the Town Council adopted the Town of Warrenton Fiscal Year 2025 Budget; and

WHEREAS, during the fiscal year, certain events occur that necessitate amending the budget; and

WHEAREAS, the Town has been approved by the Department of Transportation to receive $57,995 of State of Good Repair funds for the resurfacing of northbound lane of Broadview Avenue from town limits to 0.015 miles South of town limits and southbound lane of Broadview Avenue from town limits to 0.033 miles South of town limits; and

NOW, THEREFORE, BE IT RESOLVED, that the Warrenton Town Council Hereby amends the Fiscal Year 2025 Adopted Budget to appropriate $57,995 of grant revenue to implement the resurfacing of roadways within Town limits and grants authority for the Town Manager to execute project administration agreements for this approved State of Good Repair projects.

Votes:
Ayes:
Nays:
Absent from Meeting:

For Information:
Project Coordinator

ATTEST: _____

Town Recorder

COMMUNITY DEVELOPMENT STAFF REPORT

Council Meeting Date:	September 9, 2025
Agenda Title:	Ville Nova Subdivision- Off-site Temporary Construction Easement
Requested Action:	Approval to establish an off-site temporary construction easement to allow connection to an existing sanitary sewer connection on Town owned property
Department / Agency Lead:	Community Development
Staff Lead:	Amber Heflin

EXECUTIVE SUMMARY

EXO Development, LLC, the applicant and property owner, has officially requested to establish an off-site temporary construction easement located on Town owned property, known as Academy Hill Park, to establish a new sanitary sewer connection to serve the proposed 17 lot by-right subdivision currently under review with Town staff.

On August 25, 2025, Bohler Engineering on behalf of the applicant and property owner, EXO Development, requested that the Town Council defer this request until they have obtained the required easement from the Villas at the Ridges Condominium.

BACKGROUND

The Site Development Plan for the proposed 17 lot subdivision was submitted on January 25, 2024. The project has had three subsequent reviews by staff to address various comments. Town staff is currently reviewing the fourth submission of the Site Development Plan. The final plat was submitted on November 13, 2024, and has undergone two reviews since its original submission. The off-site easement plat was submitted on September 6, 2024, and has undergone five reviews since its original submission.

The off-site easement is being requested to allow the construction of a sanitary sewer line through Academy Hill Park, through a temporary construction easement. The easement would allow a connection to the closest feasible point for sanitary sewer due to existing topography challenges on Academy Hill Road. The temporary construction easement across the park will allow the developer to construct a sanitary sewer line across the park property and allow the Town the right and ability to continue to maintain the line once construction has been completed. The approval of this easement does not grant the ability to create the final connection to the sanitary sewer manhole located on Amber Circle within the Villas at the Ridges condominium. A separate easement plat was prepared by Bohler Engineering last year in 2024, and discussions with the HOA have been ongoing to secure the easement to establish the required connection.

PUBLIC HEARING FEEDBACK

The Town Council held a work session on this item in July and did not have any questions or concerns at that time. The Town Council held a public hearing on this item in August and deferred the request until the

September meeting due to concerns brought forward regarding on-site wetlands and the HOA's approval of the separate easement required to obtain connection to the existing manhole located in their condominium.

The Villas HOA expressed concern the Town Council's approval of the easement would force their hand in the approval of the separate off-site easement required to make the final connection of the sanitary sewer line to an existing manhole in their condominium. Town staff assured the HOA during the meeting the easement is a separate private party issue in which the Town has limited involvement other than the Town staff reviewing for deed book reference accuracy and minor notation changes and the Town Attorney reviewing deed language and signing the deed approved as to form.

Staff held preliminary meetings to discuss the project and the required off-site easements in early 2021 with the homebuilder, DR Horton, and the former engineering firm. In 2022, staff met with Bohler Engineering to again discuss the process to obtain an easement from the Town on the Academy Hill Park property. At that time, staff presented the option to prepare two separate easement plats and deeds for the Town-owned park property and the Villas at the Ridges property, as is standard in Land Development to prevent issues with obtaining all required signatures and recordation with the Clerk's office. A water and sewer availability letter was prepared in 2022 by the Town Engineer confirming water and sewer availability subject to the approval of all required off-site easements needed to serve the development.

As part of the Site Development Plan Review, staff requested the engineer show the existing sanitary sewer easement recorded on the plats for the Villas at the Ridges Condominium. The Engineer was unable to locate an existing deed book and page reference for the utility easements after an ALTA survey and deed research. In addition, staff conducted independent research and have also been unable to locate the deed book reference. This necessitates the need for the separate off-site easement from the Villas at the Ridges HOA in order to complete the connection required to obtain sanitary sewer for the property.

A member of the adjacent Villas at the Ridges Condominium came forward and expressed concern regarding the development of the site due to existing wetlands. A wetland is an area of land where water covers the soil or is present either at or near the surface of the soil year-round or for periods of time during the year. Wetlands are protected due to the benefits they provide for people, fish, and wildlife including protecting and improving water quality, storing floodwaters, and maintaining surface water flow during dry periods.

There are existing wetlands on the site according to a preliminary jurisdictional determination from the Army Corp of Engineers dated February 3, 2022; However, they are outside the limits of disturbance for the project and are not to be disturbed. Prior to the final approval of the site development plan, a final jurisdiction determination from the Army Corp. of Engineers will be required to be submitted for the project.

Service Level/Collaborative Impact

Approval of the temporary construction easement will allow the applicant to construct a sanitary sewer line across the park property and will allow the Town to assume maintenance responsibilities once construction is completed due to the line being located on Town property. The proposed method of connection is the most cost-effective from a building and operational standpoint, as gravitational sewer flow is preferred for Town-owned and maintained lines rather than mechanically pumped sewer. The approval of the temporary construction easement and the construction of the sanitary sewer lines will be a benefit to the Town's future plans for restrooms at Academy Hill Park.

Fiscal Impact

There is no fiscal impact to the Town.

Legal Impact

The approval to establish the temporary construction easement has no direct legal impact to the Town.

ATTACHMENTS

1. Proposed Easement Plat
2. Sheet C-301- Site Development Plan for Ville Nova Subdivision
3. Ordinance 2025-11- Establishment of a Temporary Construction Easement
4. Sewer and Water Availability Letter
5. Preliminary Jurisdictional Determination- USACE
6. Proposed Off-site Easement Plat- Villas at the Ridges

NOTES:

1. THE SUBJECT PROPERTY SHOWN HEREON IS IN THE NAME OF THE TOWN OF WARRENTON, AS RECORDED IN DEED BOOK 108 PAGE 90, AMONG THE LAND RECORDS OF FAUQUIER COUNTY, VIRGINIA AND HAVING A PARCEL IDENTIFICATION NUMBER OF 6984-63-2742 PER THE DEPARTMENT OF ASSESSMENTS AND IS ZONED PSP.
2. THE BOUNDARY INFORMATION IS BASED ON DEEDS, PLATS OF RECORD, AND A BOUNDARY SURVEY PREPARED BY THIS FIRM ON FEBRUARY 27, 2024.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, AND THEREFORE, MAY BE SUBJECT TO RESTRICTIONS, COVENANTS, AND/OR EASEMENTS, WRITTEN OR IMPLIED.
4. HORIZONTAL DATUM SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM (VCS) 1983 - NORTH AS ESTABLISHED FROM A CURRENT GPS SURVEY.
5. THE SUBJECT PROPERTIES ARE LOCATED IN OTHER AREAS ZONE X (AREAS OF MINIMAL FLOOD HAZARD) PER MAP ENTITLED "FEMA, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, FAUQUIER COUNTY, VIRGINIA, AND INCORPORATED AREAS, PANEL 308 OF 550", MAP NUMBER 51061C0308D, WITH A MAP REVISED DATE OF APRIL 25, 2024.
6. THE CENTERLINE OF ACADEMY HILL ROAD IS ALSO THE NORTHERN PROPERTY LINE.

OWNER'S CONSENT STATEMENT

THE CONVEYANCE OF EASEMENTS ON THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEE.

BY: _____

NOTARY

I, _____, A NOTARY PUBLIC AT LARGE WHOSE COMMISSION WILL EXPIRE ON _____ DO HEREBY CERTIFY THAT WHOSE NAME JUST SIGNED TO THE FOREGOING OWNERS CONSENT AND DEDICATION DATED _____ HAVING ACKNOWLEDGED THE SAME BEFORE ME IN MY STATE AFORESAID.

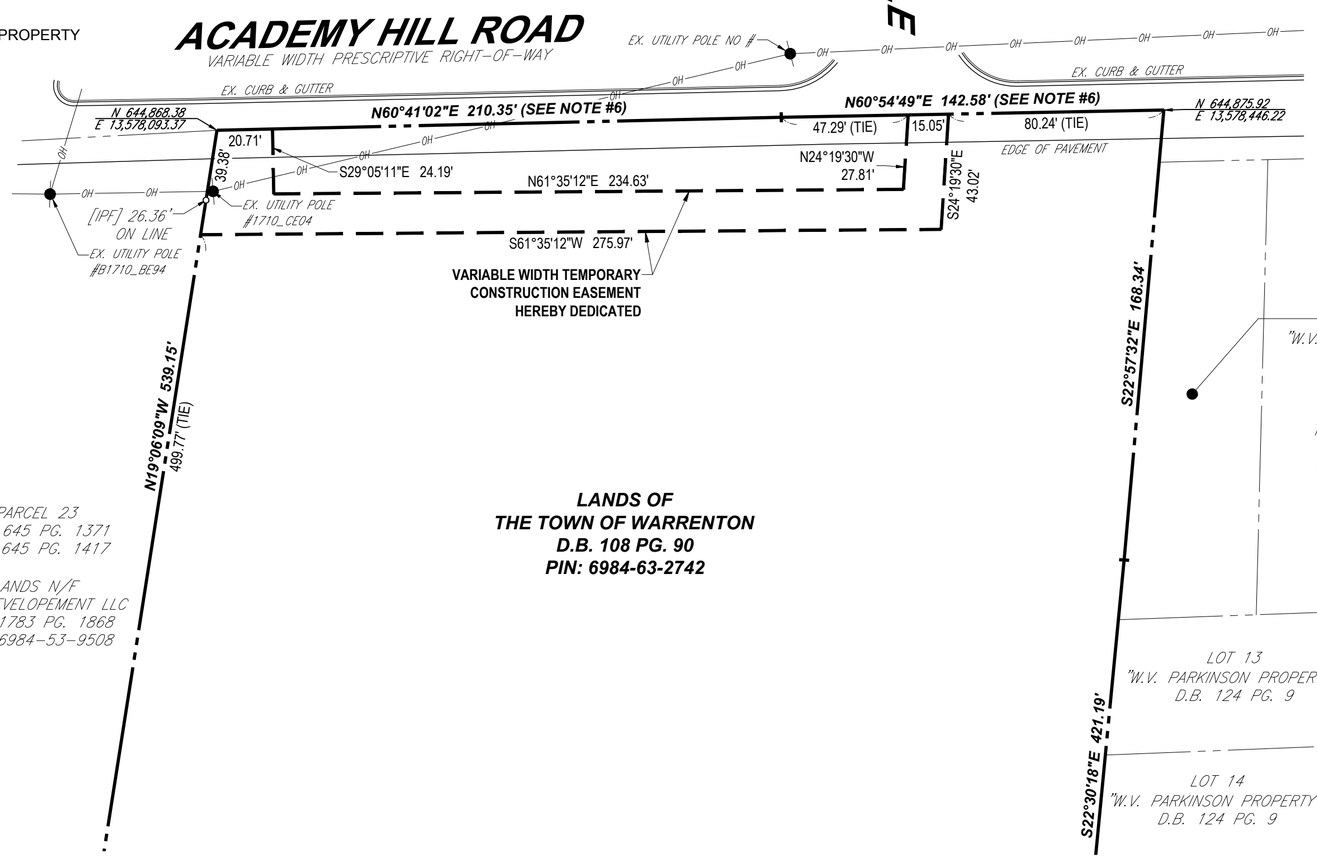
GIVEN UNDER MY HAND THIS ____ DAY OF _____

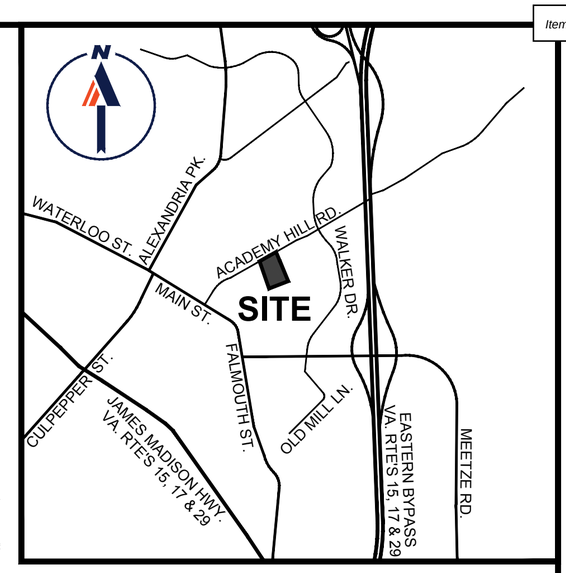
_____
NOTARY PUBLIC DATE

CERTIFICATE OF APPROVAL

THE DEDICATION OF A VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT ON THE PROPERTY OF THE TOWN OF WARRENTON IS APPROVED IN ACCORDANCE WITH THE EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

_____
TOWN OF WARRENTON AND TOWN COUNCIL DATE
AGENT FOR FAUQUIER COUNTY
BOARD OF SUPERVISORS





SITE LOCATION MAP
SCALE: 1" = 2,000'

APPROVAL BLOCK

SURVEYOR'S CERTIFICATE

I, ROBERT C. HARR, JR., A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE PROPERTY SHOWN HEREON IS NOW IN THE NAME OF THE TOWN OF WARRENTON AS ACQUIRED IN DEED BOOK 108 PAGE 90, AMONG THE LAND RECORDS OF FAUQUIER COUNTY, VIRGINIA.

COMMONWEALTH OF VIRGINIA
ROBERT C. HARR, JR.
Lic. No. 3111
LAND SURVEYOR

3.26.25
ROBERT C. HARR, JR. DATE
VIRGINIA LICENSED LAND SURVEYOR NO. 3111

40 20 10 0 40
1"= 40'

LEGEND

○ [IPF]	IRON PIPE FOUND
——OH——	OVERHEAD WIRES

PLAT SHOWING
DEDICATION OF A VARIABLE WIDTH
TEMPORARY CONSTRUCTION EASEMENT
ON THE LANDS OF
THE TOWN OF WARRENTON
DEED BOOK 108 PAGE 90
CENTER MAGISTERIAL DISTRICT
TOWN OF WARRENTON
FAUQUIER COUNTY, VIRGINIA
SCALE: 1"=40' DATE: JULY 12, 2024
DRAWN: CT SHEET: 1 OF 1

NO.	REVISION	DATE
1	REVISED PER COUNTY COMMENTS	10/03/2024
2	REVISED PER COUNTY COMMENTS	11/19/2024
3	REVISED PER COUNTY COMMENTS	12/10/2024
4	REVISED PER EASEMENT CHANGES	03/26/2025

BOHLER
12825 WORLDGATE DRIVE, SUITE 700
HERNDON, VIRGINIA 20170
703.709.9500
www.bohlerengineering.com
UPSTATE NEW YORK ■ BOSTON, MA ■ NEW YORK METRO ■ WARREN, NJ ■ PHILADELPHIA/SOUTHERN NJ ■ LEHIGH VALLEY, PA ■ SOUTHEASTERN PA
BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC

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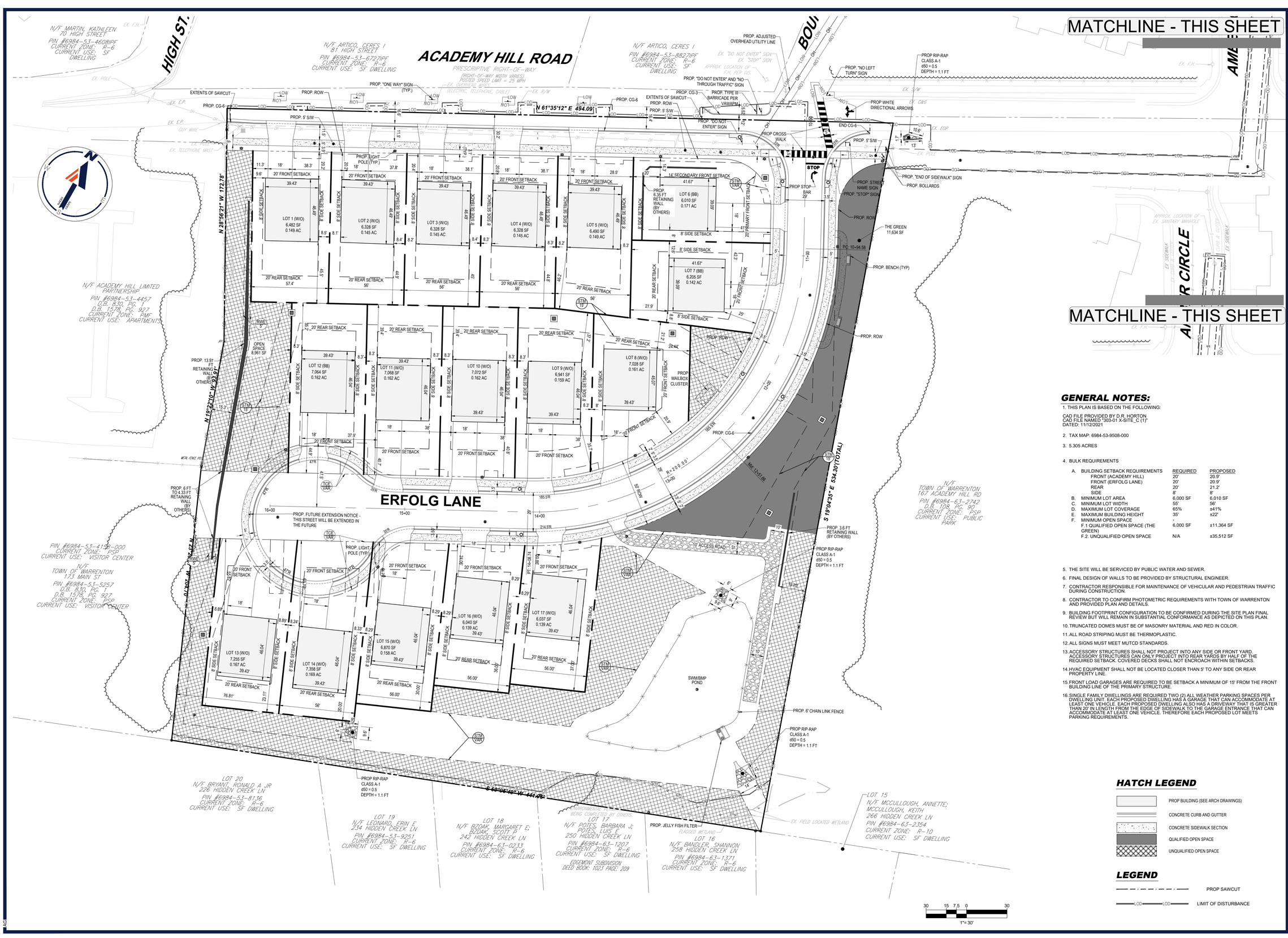


GENERAL NOTES:

1. THIS PLAN IS BASED ON THE FOLLOWING:

   CAD FILE PROVIDED BY D.R. HORTON
   CAD FILE NAMED "303-01 X-SITE_C (1)"
   DATED: 11/12/2021

2. TAX MAP: 6984-53-9508-000

3. 5.305 ACRES

4. BULK REQUIREMENTS

		REQUIRED	PROPOSED
A.	BUILDING SETBACK REQUIREMENTS		
	FRONT (ACADEMY HILL)	20'	20.9'
	FRONT (ERFOLG LANE)	20'	20.9'
	REAR	20'	21.2'
	SIDE	8'	8'
B.	MINIMUM LOT AREA	6,000 SF	6,010 SF
C.	MINIMUM LOT WIDTH	55'	56'
D.	MAXIMUM LOT COVERAGE	65%	±41%
E.	MAXIMUM BUILDING HEIGHT	35'	±22'
F.	MINIMUM OPEN SPACE	-	-
	F.1 QUALIFIED OPEN SPACE (THE GREEN)	6,000 SF	±11,364 SF
	F.2. UNQUALIFIED OPEN SPACE	N/A	±35,512 SF

5. THE SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER.
6. FINAL DESIGN OF WALLS TO BE PROVIDED BY STRUCTURAL ENGINEER.
7. CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF VEHICULAR AND PEDESTRIAN TRAFFIC DURING CONSTRUCTION.
8. CONTRACTOR TO CONFIRM PHOTOMETRIC REQUIREMENTS WITH TOWN OF WARRENTON AND PROVIDED PLAN AND DETAILS.
9. BUILDING FOOTPRINT CONFIGURATION TO BE CONFIRMED DURING THE SITE PLAN FINAL REVIEW BUT WILL REMAIN IN SUBSTANTIAL CONFORMANCE AS DEPICTED ON THIS PLAN.
10. TRUNCATED DOMES MUST BE OF MASONRY MATERIAL AND RED IN COLOR.
11. ALL ROAD STRIPING MUST BE THERMOPLASTIC.
12. ALL SIGNS MUST MEET MUTCD STANDARDS.
13. ACCESSORY STRUCTURES SHALL NOT PROJECT INTO ANY SIDE OR FRONT YARD. ACCESSORY STRUCTURES CAN ONLY PROJECT INTO REAR YARDS BY HALF OF THE REQUIRED SETBACK. COVERED DECKS SHALL NOT ENCROACH WITHIN SETBACKS.
14. HVAC EQUIPMENT SHALL NOT BE LOCATED CLOSER THAN 5' TO ANY SIDE OR REAR PROPERTY LINE.
15. FRONT LOAD GARAGES ARE REQUIRED TO BE SETBACK A MINIMUM OF 15' FROM THE FRONT BUILDING LINE OF THE PRIMARY STRUCTURE.
16. SINGLE FAMILY DWELLINGS ARE REQUIRED TWO (2) ALL WEATHER PARKING SPACES PER DWELLING UNIT. EACH PROPOSED DWELLING HAS A GARAGE THAT CAN ACCOMMODATE AT LEAST ONE VEHICLE. EACH PROPOSED DWELLING ALSO HAS A DRIVEWAY THAT IS GREATER THAN 20' IN LENGTH FROM THE EDGE OF SIDEWALK TO THE GARAGE ENTRANCE THAT CAN ACCOMMODATE AT LEAST ONE VEHICLE. THEREFORE EACH PROPOSED LOT MEETS PARKING REQUIREMENTS.

HATCH LEGEND

- PROP BUILDING (SEE ARCH DRAWINGS)
- CONCRETE CURB AND GUTTER
- CONCRETE SIDEWALK SECTION
- QUALIFIED OPEN SPACE
- UNQUALIFIED OPEN SPACE

LEGEND

- PROP SAWCUT
- LOD LOD LIMIT OF DISTURBANCE

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SITE MANAGEMENT SERVICES
PERMITTING SERVICES
TRANSPORTATION SERVICES

THE BOHLER CIVIL DESIGN AND CONTENT OF THIS PLAN IS THE PROPRIETARY AND EXCLUSIVE PROPERTY OF BOHLER AND SHALL NOT BE COPIED OR USED FOR ANY PURPOSE WITHOUT PRIOR WRITTEN AUTHORIZATION FROM BOHLER. ONLY APPROVED AND SEALED PLANS SHALL BE UTILIZED FOR CONSTRUCTION PURPOSES. © BOHLER, INC.

REVISIONS

REV	DATE	COMMENT	DRAWN BY / CHECKED BY
1	06/21/2024	PER TOWN COMMENTS	MNK / KSR
2	09/26/2024	PER TOWN COMMENTS	ANB / CDH

Know what's below. Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

NOT APPROVED FOR CONSTRUCTION

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	VAB230190.00
DRAWN BY:	ANB/MNK
CHECKED BY:	KSR
DATE:	01/18/2024
CAD I.D.:	SITE -0

PROJECT:

PROP. SITE PLAN DOCUMENTS

FOR

EXO DEVELOPMENT, LLC

ACADEMY HILL

ACADEMY HILL ROAD
TOWN OF WARRENTON
VIRGINIA

BOHLER
28 BLACKWELL PARK LANE, SUITE 201
WARRENTON, VIRGINIA 20186
Phone: (540) 349-4500
Fax: (540) 349-0321
VA@BohlerEng.com

COMMONWEALTH OF VIRGINIA
KATHERINE ROBERTS
Lic. No. 0402060193
09/26/2024
PROFESSIONAL ENGINEER

SHEET TITLE:

SITE PLAN

SHEET NUMBER:

C-301

REVISION 2 - 09/26/2024

Sep 26, 2024
H:\2023\VAB230190.00\CAD\DRAWINGS\PLAN SET\SITE PLAN\VAB230190.00-SITE-0----LAYOUT 'C-301' - SITE PLAN 1
AGS

ORDINANCE

September 9, 2025
Town Council
Public Hearing

AN ORDINANCE TO APPROVE THE ESTABLISHMENT OF A TEMPORARY CONSTRUCTION EASEMENT FOR SANITARY SEWER CONSTRUCTION ON TAX PARCEL NUMBER 6984-23-2742-000

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Warrenton Town Council (Hereinafter "Council") may, by ordinance, amend, supplement, or change the regulations of the Zoning Ordinance of the Town whenever the public necessity, convenience, general welfare or good zoning practice may require such an amendment; and

WHEREAS, the Town is the owner of certain real property located in the Town of Warrenton, Virginia, identified as Tax Map Parcel 6984-23-2742-000 containing 4.72 acres, (the "Property") as the same is recorded in Deed Book 108 at Page 90 among the Fauquier County, Virginia land records (the "Land Records"); and

WHEREAS, EXO Development, LLC (Hereinafter "the Owner") is the owner of certain real property located in the Town of Warrenton, Virginia, identified as Tax Map Parcel 6984-53-9508-000 containing 5.31 acres, (the "Property") as the same is shown on a plat attached to a Deed of Dedication, Subdivision, and Easement recorded in Deed Book 276 at Page 90 among the Fauquier County, Virginia land records (the "Land Records"); and

WHEREAS, it is the desire of the Owner and the Town to establish a temporary construction easement on parcel 6984-63-2742-000 owned by the Town of Warrenton to allow the construction of a sanitary sewer line as shown on the Site Development Plan (SDP#24-1) and the Easement Plat (ESMT#24-5); and-

WHEREAS, on August 12, 2025, the Warrenton Town Council conducted a public hearing on this matter and considered oral and written testimony; and

WHEREAS, on August 12, 2025, the Warrenton Town Council deferred the application after conducting a public hearing until their September 9, 2025, meeting, leaving the public hearing open; and

WHEREAS, on September 9, 2025, the Warrenton Town Council conducted a second public hearing on this matter and considered oral and written testimony; and

WHEREAS, the Council desires to adopt this Ordinance to establish the aforementioned temporary construction easement as set forth on the aforesaid plat of easement; now, therefore, be it

ORDAINED, by the Council this 9th day of September 2025, that the Town Council hereby approves the establishment of a temporary construction easement as shown on the proposed Plat Showing Dedication of Variable Width Temporary Construction Easement, prepared by Bohler Engineering, dated March 26, 2025, and attached hereto.

ORDINANCE

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

For Information:
Community Development Director,
Town Attorney

ATTEST: _____
Town Recorder

TOWN OF WARRENTON
Department of Public Works & Utilities
PO BOX 341
WARRENTON, VIRGINIA 20188
http://www.warrentonva.gov
TELEPHONE (540) 347-1101
FAX (540) 349-2414

September 8, 2022

Lindsay Bowman
Program Manager
Bohler
28 Blackwell Park Lane, Suite 201
Warrenton, VA 20186

RE: Water and Sewer Availability
PIN 6984-53-9508-000

This letter is to certify that the Town of Warrenton has agreed to provide water and sanitary sewer services to the property referenced above off Academy Hill Road in Warrenton. Final service will be contingent on completion of the required pipe and service connections, off-site easements, final inspections, approvals and as-built drawings.

Should you have any questions, please do not hesitate to contact the Warrenton Department of Public Utilities, at 540-347-1101.

Sincerely:

Paul A. Bernard, P.E.
Town Engineer, Public Works & Utilities

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

February 3, 2022

PRELIMINARY JURISDICTIONAL DETERMINATION

Northern Virginia Regulatory Section
NAO-2021-02514 (tributary to Turkey Run)

D.R. Horton
Attn: Priya Tiwari
181 Harry S Truman Parkway Suite 250
Annapolis, MD 21401

Dear Ms. Tiwari:

This letter is regarding your request for a preliminary jurisdictional determination for waters of the U.S. (including wetlands) on property known as the Academy Hill project. The approximately 5.5-acre project site is in the Town of Warrenton, Virginia.

The map titled "Wetland and Waters Map – Academy Hill", submitted on your behalf by TNT with a date of May 17, 2021 (copy enclosed) provides the locations of waters and wetlands on the property listed above. The basis for this delineation includes application of the Corps' 1987 Wetland Delineation Manual *(and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Mountainous and Piedmont Regions)* and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation. **This letter confirms waters, including wetlands, located only within the study boundaries, is not confirming the Cowardin classifications of these aquatic resources and does not authorize any work in these areas.**

The Norfolk District has relied on the information and data provided by the applicant or agent. If such information and data subsequently prove to be materially false or materially incomplete, this verification may be suspended or revoked, in whole or in part, and/or the Government may institute appropriate legal proceedings.

Discharges of dredged or fill material, including those associated with mechanized landclearing, into waters and/or wetlands on this site may require a Department of the Army permit and authorization by state and local authorities including a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC) and/or a permit from your local wetlands board. This letter is a confirmation of the Corps preliminary jurisdiction for the waters and/or wetlands on the subject property and does not authorize any work in these areas. Please obtain all required permits before starting work in the delineated waters/wetland areas.

This is a preliminary jurisdictional determination and is therefore not a legally binding determination regarding whether Corps jurisdiction applies to the waters or wetlands in question. Accordingly, you may either consent to jurisdiction as set out in this preliminary jurisdictional determination and the attachments hereto if you agree with the determination, or you may request and obtain an approved jurisdictional determination. **This preliminary jurisdictional determination and associated wetland delineation map may be submitted with a permit application. Additional review may be required during the permit review process.**

Enclosed is a copy of the "Preliminary Jurisdictional Determination Form". Please review the document, sign, and return one copy to Anna Lawston, either via email (anna.r.lawston@usace.army.mil) or via standard mail to US Army Corps of Engineers, Warrenton Field Office, PO Box 578, Amissville, Virginia 20106 within 30 days of receipt and keep one for your records. **This delineation of waters and/or wetlands is valid for a period of five years from the date of this letter unless new information warrants revision prior to the expiration date. This preliminary jurisdictional determination and associated wetland delineation map may be submitted with a permit application.**

If you have any questions, please contact Anna Lawston either via telephone at (540)764-4459 or via email at anna.r.lawston@usace.army.mil.

Sincerely,

2022.02.03
12:01:33 -05'00'

Anna R. Lawston
Environmental Scientist
Northern Virginia Regulatory Section

Received by USACE NAO LRD September 16, 2021

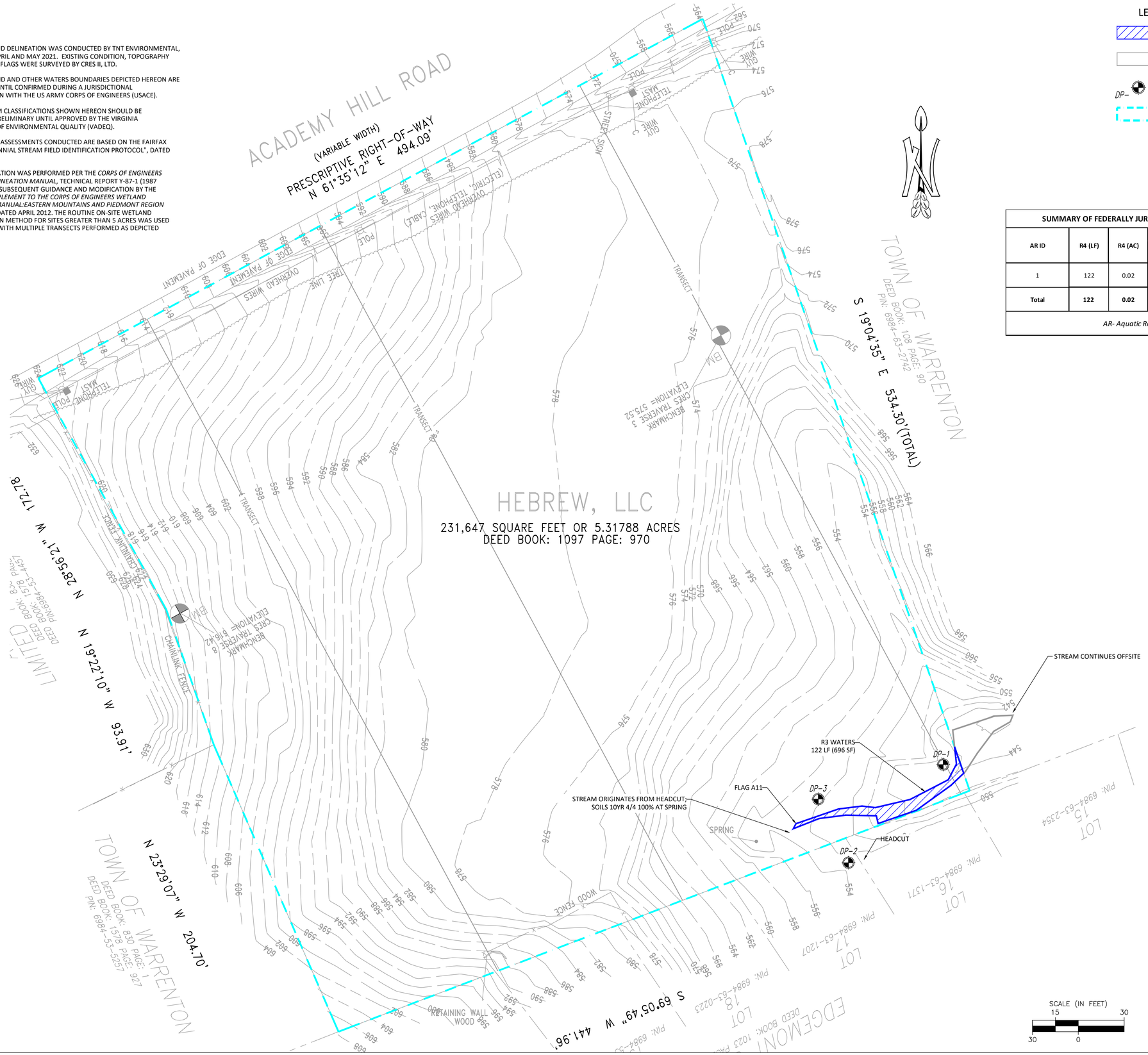
NOTES:
1. THE WETLAND DELINEATION WAS CONDUCTED BY TNT ENVIRONMENTAL, INC. (TNT) IN APRIL AND MAY 2021. EXISTING CONDITION, TOPOGRAPHY AND WETLAND FLAGS WERE SURVEYED BY CRES II, LTD.

2. THE WETLAND AND OTHER WATERS BOUNDARIES DEPICTED HEREON ARE PRELIMINARY UNTIL CONFIRMED DURING A JURISDICTIONAL DETERMINATION WITH THE US ARMY CORPS OF ENGINEERS (USACE).

3. *THE STREAM CLASSIFICATIONS SHOWN HEREON SHOULD BE CONSIDERED PRELIMINARY UNTIL APPROVED BY THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (VADEQ).

4. THE STREAM ASSESSMENTS CONDUCTED ARE BASED ON THE FAIRFAX COUNTY "PERENNIAL STREAM FIELD IDENTIFICATION PROTOCOL", DATED MAY 2003.

5. THIS DELINEATION WAS PERFORMED PER THE *CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL*, TECHNICAL REPORT Y-87-1 (1987 MANUAL) AND SUBSEQUENT GUIDANCE AND MODIFICATION BY THE *REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL:EASTERN MOUNTAINS AND PIEDMONT REGION* (VERSION 2.0) DATED APRIL 2012. THE ROUTINE ON-SITE WETLAND DETERMINATION METHOD FOR SITES GREATER THAN 5 ACRES WAS USED FOR THIS SITE, WITH MULTIPLE TRANSECTS PERFORMED AS DEPICTED HEREIN.



LEGEND

- INTERMITTENT WATERS (R4)
- OFFSITE INTERMITTENT WATERS (R4)
- DP- APPROX. DATAPOINT LOCATION
- STUDY AREA

SUMMARY OF FEDERALLY JURISDICTIONAL WATERS (INCLUDING WETLANDS)

AR ID	R4 (LF)	R4 (AC)	JURISDICTIONAL DETERMINATION RATIONALE / RATIONALE FOR DETERMINATION
1	122	0.02	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year
Total	**122**	**0.02**	

AR- Aquatic Resource; R4 -Intermittent Stream

4455 Brookfield Corporate Drive, Suite 100
Chantilly, VA 20151
PH: 703-466-5123 WWW.TNTENVIRONMENTALINC.COM
TNT ENVIRONMENTAL

ACADEMY HILL

FAUQUIER COUNTY

SURVEYED WETLANDS & WATERS MAP

REVISIONS

DATE	COMMENTS

SHEET 1 OF 1

SCALE: 1" = 30'

PROJECT DATE: 5/17/21

DRAFT: JSM | CHECK: AMS

FILE NUMBER: 639-A

PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM
NAO-2021-02514 Academy Hill

BACKGROUND INFORMATION

A. **REPORT COMPLETION DATE FOR PJD:** 03FEB2022

B. **NAME AND ADDRESS OF PERSON REQUESTING PJD:**

D.R. Horton
Attn: Priya Tiwari
181 Harry S Truman Parkway Suite 250
Annapolis, MD 21401

C. **DISTRICT OFFICE, FILE NAME, AND NUMBER:**
NAO, Academy Hill, NAO-2021-02514

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:
(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: VA County: Town of Warrenton City:
Center coordinates of site (lat/long in degree decimal format):
Lat.: 38.713264Long.: -77.788613
Universal Transverse Mercator: 18
Name of nearest waterbody: tributaries to Colt Run

E. REVIEW PERFORMED FOR SITE EVALUATION:
X Office (Desk) Determination. Site visit done via virtual tools
Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

SUMMARY OF FEDERALLY JURISDICTIONAL WATERS (INCLUDING WETLANDS)			
AR ID	R4 (LF)	R4 (AC)	JURISDICTIONAL DETERMINATION RATIONALE RATIONALE FOR DETERMINATION
1	122	0.02	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year
Total	**122**	**0.02**	
AR- Aquatic Resource; R4 -Intermittent Stream			

1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.

2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the.JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there “may be” waters of the U.S. and/or that there “may be” navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

_x__ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
map titled “Wetland and Waters Map – Academy Hill”, submitted on your behalf by TNT with a date of May 17, 2021

_x__ Data sheets prepared/submitted by or on behalf of the PJD requestor.
- _x__ Office concurs with data sheets/delineation report.
- ___ Office does not concur with data sheets/delineation report.

___ Data sheets prepared by the Corps: _____.

___ Corps navigable waters' study: _____.

___ U.S. Geological Survey Hydrologic Atlas: _____.

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

___ USGS NHD data.
___ USGS 8 and 12 digit HUC maps.
_x__ U.S. Geological Survey map(s). Cite scale & quad name:
_x_ Natural Resources Conservation Service Soil Survey.
_X__ National wetlands inventory map(s).

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

2022.02.03
12:00:11 -05'00'

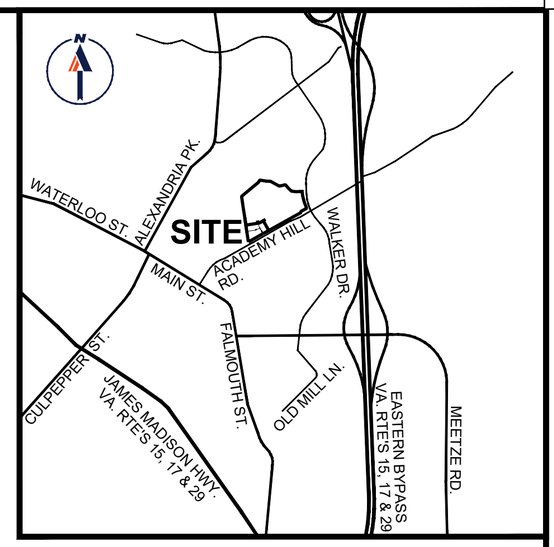
Signature and date of Regulatory staff member completing PJD

Signature and date of person requesting PJD (REQUIRED, unless obtaining the signature is impracticable)[1]

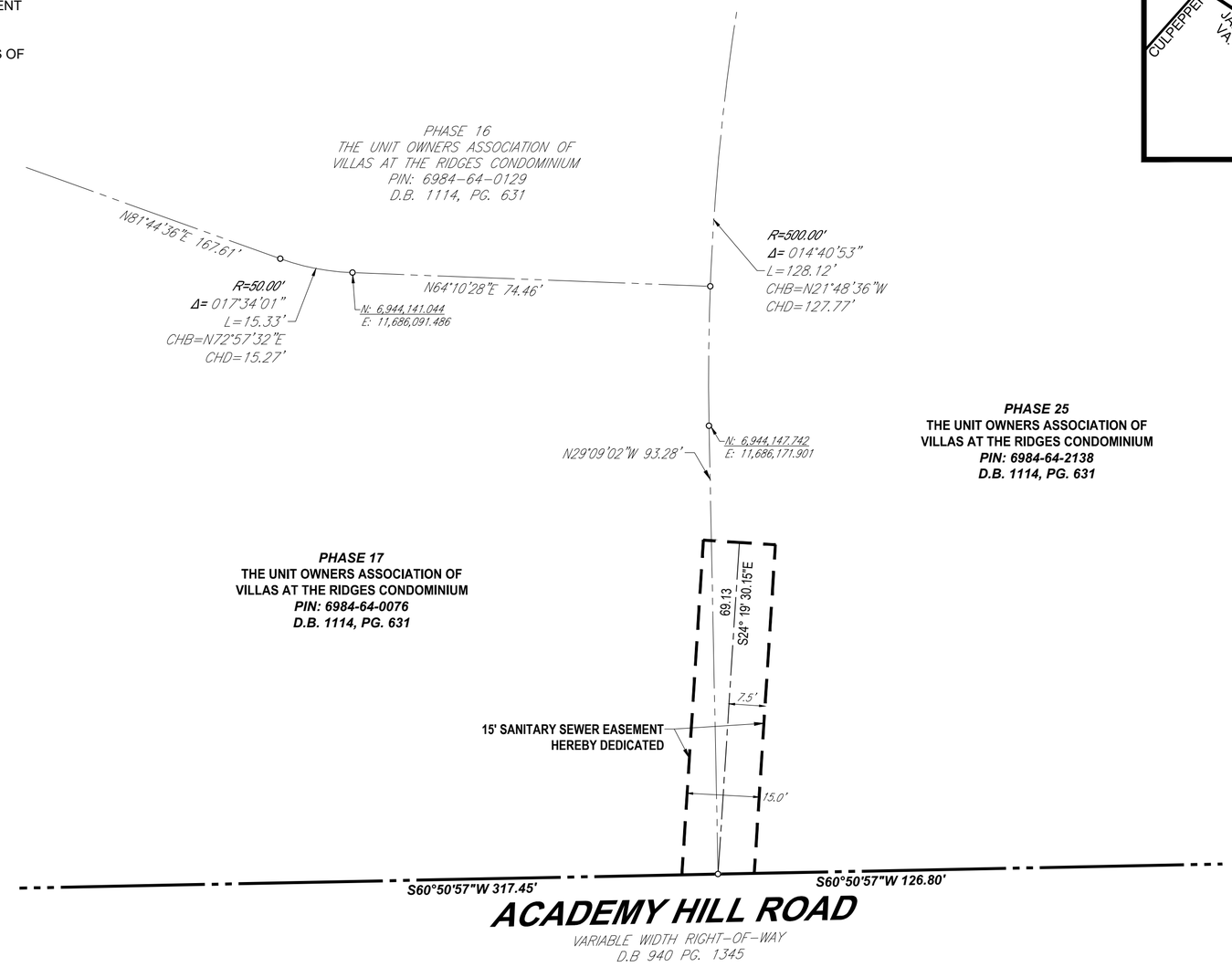
[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

NOTES:

1. THE PARCEL IDENTIFICATION NUMBERS FOR THE PROPERTIES SHOWN HEREON ARE 6984-64-0076 (PHASE 17) AND 6984-64-2138 (PHASE 25) AND ARE ZONED RNIF.
2. PROPERTIES SHOWN HEREON ARE IN THE NAME OF THE UNIT OWNERS ASSOCIATION OF VILLAS AT THE RIDGES CONDOMINIUM, AS RECORDED IN DEED BOOK 1114 PAGE 631, AND BEING AMONG THE LANDS RECORDS OF FAUQUIER COUNTY, VIRGINIA.
3. BOUNDARY INFORMATION IS BASED ON DEEDS, PLATS OF RECORD, AND A BOUNDARY VERIFICATION PREPARED BY THIS FIRM ON FEBRUARY 27, 2024.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, AND THEREFORE, MAY BE SUBJECT TO RESTRICTIONS, COVENANTS, AND/OR EASEMENTS, WRITTEN OR IMPLIED.
5. HORIZONTAL DATUM SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM (VCS) 1983 - NORTH AS ESTABLISHED FROM A CURRENT GPS SURVEY.
6. THE SUBJECT PROPERTIES ARE LOCATED IN OTHER AREAS ZONE X (AREAS OF MINIMAL FLOOD HAZARD) PER MAP ENTITLED "FEMA, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, FAUQUIER COUNTY, VIRGINIA, AND INCORPORATED AREAS, PANEL 308 OF 550", MAP NUMBER 51061C0308D, WITH A MAP REVISED DATE OF APRIL 25, 2024.



SITE LOCATION MAP
SCALE: 1" = 2,000'



PHASE 25
THE UNIT OWNERS ASSOCIATION OF
VILLAS AT THE RIDGES CONDOMINIUM
PIN: 6984-64-2138
D.B. 1114, PG. 631

20 10 5 0 20
1"= 20'

OWNER'S CONSENT STATEMENT

THE CONVEYANCE OF EASEMENTS ON THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEE.

BY: _____

NOTARY

I, _____, A NOTARY PUBLIC AT LARGE WHOSE COMMISSION WILL EXPIRE ON _____ DO HEREBY CERTIFY THAT WHOSE NAME JUST SIGNED TO THE FOREGOING OWNERS CONSENT AND DEDICATION DATED _____ HAVING ACKNOWLEDGED THE SAME BEFORE ME IN MY STATE AFORESAID.

GIVEN UNDER MY HAND THIS ____ DAY OF _____

_____
NOTARY PUBLIC DATE

TOWN OF WARRENTON APPROVAL BLOCK

THIS DOES NOT CONSTITUTE A SUBDIVISION AND MAY BE ENTERED TO RECORD.

_____
SUBDIVISION AGENT DATE

CERTIFICATE OF APPROVAL

THE DEDICATION OF SANITARY SEWER EASEMENT ON THE PROPERTY OF THE TOWN OF WARRENTON IS APPROVED IN ACCORDANCE WITH THE EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

_____
AGENT FOR FAUQUIER COUNTY DATE
BOARD OF SUPERVISORS

SURVEYOR'S CERTIFICATE

I, ROBERT C. HARR, JR., A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE PROPERTIES SHOWN HEREON ARE NOW IN THE NAME OF THE UNIT OWNERS ASSOCIATION OF VILLAS AT THE RIDGES CONDOMINIUM, AS RECORDED IN DEED BOOK 1114 PAGE 631, AND BEING AMONG THE LANDS RECORDS OF FAUQUIER COUNTY, VIRGINIA.

COMMONWEALTH OF VIRGINIA
ROBERT C. HARR, JR.
Lic. No. 3111
LAND SURVEYOR

9.24.24
ROBERT C. HARR, JR. DATE
VIRGINIA LICENSED LAND SURVEYOR NO. 3111

PLAT SHOWING
DEDICATION OF SANITARY SEWER EASEMENT
ON THE LANDS OF
PHASE 17 AND PHASE 25
THE UNIT OWNERS ASSOCIATION OF
VILLAS AT THE RIDGES CONDOMINIUM
DEED BOOK 1114, PAGE 631
CENTER MAGISTERIAL DISTRICT
TOWN OF WARRENTON
FAUQUIER COUNTY, VIRGINIA
SCALE: 1"=20' DATE: SEPTEMBER 13, 2024
DRAWN: ID SHEET: 1 OF 1

NO.	REVISION	DATE

BOHLER
12825 WORLDGATE DRIVE,
SUITE 700
HERNDON, VIRGINIA 20170
703.709.9500
www.bohlerengineering.com
■ UPSTATE NEW YORK ■ BOSTON, MA ■ NEW YORK METRO ■ WARREN, NJ ■ PHILADELPHIA/SOUTHERN NJ ■ LEHIGH VALLEY, PA ■ SOUTHEASTERN PA
■ BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC

S-EASE1-PLAT-VAB230190.00.dwg

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2 Vice Mayor
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9th, 2025.
Agenda Title:	Consent Agenda- Meeting Minutes
Requested Action:	Review and consider approval of the Town Council Meeting Minutes
Department / Agency Lead:	Town Clerk
Staff Lead:	Stephen Clough, MMC

EXECUTIVE SUMMARY

The following draft minutes have been submitted by the Town Clerk for consideration for approval by the Town Council:

- Draft September 10th, 2024, Regular Town Council meeting.
- Draft October 8th, 2024, Regular Town Council meeting.
- Draft November 12th, 2024, Regular Town Council meeting.
- Draft December 10th, 2024, Regular Town Council meeting.
- Draft January 14th, 2025, Regular Town Council meeting.
- Draft February 11th, 2025, Regular Town Council Meeting.

BACKGROUND

The Town Council Meeting minutes are created by the Town Clerk for each meeting of the Town Council to summarize the meetings and act as an official record for the proceedings per Warrenton Town Code (Code 1981, § 2-31).

Per Virginia Code § 2.2-3707(i) the meeting minutes will contain the following:

(a) the date, time, and location of the meeting;
(b) the members of the public body recorded as present and absent; and
(c) a summary of the discussion on matters proposed, deliberated, or decided, and a record of any votes taken.

In addition, for electronic communication meetings conducted in accordance with § 2.2-3708.2 or 2.2-3708.3, minutes shall include (1) the identity of the members of the public body who participated in the meeting through electronic communication means, (2) the identity of the members of the public body who were physically assembled at one physical location, and (3) the identity of the members of the public body who were not present at the location identified in clause (2) but who monitored such meeting through electronic communication means.

STAFF RECOMMENDATION

Review and consider approval of the Town Council Meeting Minutes.

Service Level/Collaborative Impact

The minutes of the Town Council Meetings help facilitate transparency in Government with records management and availability.

Policy Direction/Warrenton Plan 2040

The minutes are an integral part of Plan Warrenton 2040 as they document the steps taken by the Staff and Town Council towards every goal laid out in the Comprehensive plan.

Fiscal Impact

No additional impact is expected. Minutes creation is an assigned duty of the Town Clerk and falls within the budget amount for that role.

Legal Impact

The Town Council Meeting minutes are the legal record of the proceedings and actions of the Town Council

ATTACHMENTS

1. Draft September 10th, 2024, Regular Town Council meeting.
2. Draft October 8th, 2024, Regular Town Council meeting.
3. Draft November 12th, 2024, Regular Town Council meeting.
4. Draft December 10th, 2024, Regular Town Council meeting.
5. Draft January 14th, 2025, Regular Town Council meeting.
6. Draft February 11th, 2025, Regular Town Council meeting.

TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, September 10, 2024 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON SEPTEMBER 10th, 2024, AT 9:00 AM

Work Session

PRESENT	Mr. Carter Nevill, Mayor; Mr. Paul Mooney; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Ms. Heather Sutphin (arrived late); Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.
PRESENT ELECTRONICALLY	Mr. William Semple
ABSENT	Mr. Brett Hamby; Mr. David McGuire.

Regular Meeting

PRESENT	Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.
PRESENT ELECTRONICALLY	Mr. William Semple

I. WORKSESSION - 9:00 AM

The Mayor called the meeting to order at 9:00am. He stated that Mr. Semple had requested to participate electronically and read him into the meeting.

Mr. Semple stated that he was attending remotely from his residence at 319 Falmouth Street due to medical reasons.

1. **The Town of Warrenton, in partnership with the PATH Foundation and Oak View Bank, engaged the national non-profit Strong Towns to host a community event on September 9th and speak during a Town Council Work Session. The Work Session will provide a follow-up discussion from the community event with Edward Erfurt of Strong Towns.**

Mayor Nevill introduced the topic and Mr. Erfurt. Mr. Erfurt gave a presentation to Town Council.

Draft

Mr. Erfurt explained that Strong Towns is a non-profit advocacy organization that analyzes current development patterns and works with communities to consider different approaches. He mentioned his background in architecture and urban design, having worked in county and city government for fifteen years. He discussed traditional development patterns of incremental growth versus suburban development patterns that remain frozen in time. he explained that Strong Towns advocates for productive growth through incremental development.

Mr. Erfurt explained doing "value per acre" analysis, which typically shows that more compact areas with a variety of uses yield higher returns with less infrastructure use. He described the "housing trap" as a nationwide crisis of availability and affordability, which Strong Towns believes can be addressed incrementally from the local level. He outlined three key approaches: code reform (building codes, zoning, and administration), local finance (addressing financial gaps for desired development types), and developing an ecosystem of small incremental developers. He concluded by challenging the community to continue taking small, identifiable steps to address struggles, similar to how outdoor dining was introduced during COVID.

Mr. Gagnon thanked Mr. Erfurt for his informative presentation and asked if the PowerPoint would be available. He also inquired about Mr. Erfurt's general impressions of Warrenton's standing on organic housing growth versus larger developments, and how it compares to similar towns.

Mr. Erfurt stated that Warrenton is taking a leadership role by having this critical public conversation, which few communities are willing to do. He highlighted Warrenton's advantage of having a historic core and identity with existing examples of varied housing types, referred to as "missing middle" housing, due to its incremental growth. He suggested that analysis could be done within Warrenton's existing fabric rather than looking to outside examples.

Mr. Gagnon further asked for cautionary tales or guidelines for Warrenton, given its proximity to Northern Virginia sprawl.

Mr. Erfurt shared the Strong Towns principle that "no neighborhood should be experiencing radical change" as the last eight decades have seen radical changes in urban development. He also stressed that "no community should be exempt from change" and that gradual change is necessary, citing Warrenton's rebuilding after the Great Fire as an example.

Mr. Semple stated he had read Chuck Marone's books and resonated with the concept of organic growth, as he lives in an 1840 cottage behind a 1906 main house in Old Town. He then asked about the challenges of densification and introducing more units like his into existing exclusionary residential zones, inquiring about strategies to educate residents and incorporate their voices.

Mr. Erfurt explained that Strong Towns differentiates between "proven complex" neighborhoods (like Warrenton's historic core that have adapted incrementally), "potentially complex" areas (fringe or redevelopment areas influenced by modern patterns), and "complicated" areas (suburban developments built to a finished state). He advised focusing on potentially complex areas for incremental changes that are not radical. He clarified that Strong Towns focuses on "thickening" communities, not just density. He used an analogy of communities maturing from adolescent to adult phases. He recommended finding small-scale successes and learning from

minor failures. He cited an example of Tulsa, Oklahoma, where initially rejected pre-approved building plans for infill housing gained community support incrementally.

Mr. Semple then inquired how to create a zoning map or process that accommodates such granular nuances.

Mr. Erfurt discussed various zoning types like Euclidean and form-based codes, and permissive PUDs. He suggested that zoning maps might need to be more granular at the local level and emphasized reviewing historic plats to ensure zoning fits neighborhood character. He also mentioned "adaptive code" processes which allow the next increment of development "by right" and stressed flexibility in adapting codes.

Vice Mayor Hartman thanked Mr. Erfurt for his presentation. He then discussed the acres of undeveloped industrial land in town, noting that projects proposed for this land are often opposed. He expressed concern that relying solely on residential rooftops for revenue places the burden on taxpayers. He asked for thoughts on diversifying the tax base with clean industry or rezoning the land if such industry isn't allowed.

Mr. Erfurt stated these are local decisions and discussions should involve property owners. He described industrial zoning as "tricky" due to varied types and unpredictable definitions. He shared an example of Medicine Hat, Alberta, where an industrial park was not generating expected revenue, and the city was facing a $200 million cost for infrastructure with an 85-year payback period just for hard infrastructure, not including police or fire services. Medicine Hat shifted its economic development focus to its struggling downtown, where opening a shopfront doubled their tax base and developing lots yielded 10 to 20 times the return.

Mr. Erfurt suggested having discussions with property owners of industrial lands to see if they could meet current needs, especially if utilities are already in place, making it easier for development.

Mayor Nevill added that the singular focus on single-family detached homes has led to industrial lands attracting low-tax revenue uses like storage units, which provide little benefit to the community. He emphasized that activating industrial lands requires looking at other community aspects, zoning, and growth strategies.

Mayor Nevill then asked Mr. Erfurt about adaptive code changes and Strong Towns' recommendations for the zoning ordinance update, beyond just lot sizes.

Mr. Erfurt identified parking mandates as a top-zoning performance standard that Strong Towns addresses, noting that many communities are shifting from required to recommended or abolishing these mandates. He explained that parking consumes enormous resources and makes housing unaffordable. He cited Norman, Oklahoma, which took ten years to change its parking code from "required" to "recommended," leading to four new downtown developments in eighteen months on former parking lots, generating tax revenue and shelter. Norman also successfully updated its code to allow accessory dwelling units (ADUs) city-wide, with no parking requirement for these units. Mr. Erfurt also suggested looking at how much "chaos" a community is willing to accept in its zoning and identifying what truly needs regulation. He gave an example of Cambridge, Massachusetts, which created an "affordable housing zoning overlay" that allowed

by-right approval for affordable housing projects meeting strict criteria, leading to a 1300% increase in affordable housing construction downtown.

Mayor Nevill then followed up on recommendations for making it easier to tap into local investors and developers.

Mr. Erfurt provided two examples: Oswego, New York, where a neighborhood group secured a $60,000 grant requiring 8 out of 10 residents on a street to participate in property improvements, which leveraged $750,000 in private investment. He also discussed the Incremental Development Alliance, which trains small-scale developers and entrepreneurs, helping them convert properties into rentals or add ADUs. Another group, Neighborhood Evolution, coaches individuals in a twelve-step process, leading to significant private investment. For example, in South Bend, Indiana, these developers generated $23 million in private investment over five years, resulting in $650,000 annually in property taxes.

Mayor Nevill noted that regulatory hurdles often hinder local investors, and by-right development could make it easier for small developers.

Mr. Erfurt also mentioned Kalamazoo, Michigan, which created pre-approved building plan packages, streamlining the permitting process for desired building types, and ultimately led to a rewriting of their zoning code to align with community desires.

Councilwoman Sutphin thanked Mr. Erfurt for his time and noted that each time she heard him speak, she gained new insights. She also highlighted the Strong Towns website's message about broken development patterns leading to decline. Ms. Sutphin noted that Warrenton has had to change and grow throughout its history.

Councilmen Mooney asked Mr. Erfurt to elaborate on changing parking codes, as it intrigued him and seemed relevant to Broadview Avenue.

Mr. Erfurt explained that Strong Towns advocates for removing parking mandates because communities often have excessive parking, which is unproductive land use and adds to the cost of housing. He stated that relaxing these codes leads to more productive land uses and that communities requiring excessive parking implicitly prioritize parking over housing. He mentioned the Parking Reform Network, which maps cities that have removed parking mandates, indicating this is a widespread trend.

Mayor Nevill clarified that "over-parked" means having more parking spaces than needed. Mr. Erfurt added that people are willing to walk further when the pedestrian experience is enjoyable, unlike walking past large, empty parking lots.

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2. Planning Commission Update

Ms. Denise Harris, Planning Manager, gave an overview of the August Planning Commission meeting. She stated that two work sessions were held. The first was on SUP 2024-01 for an auto dealership at 71 South Fifth Street, where the owner sought permission to reinstate a previously grandfathered nonconforming use in an existing building with no physical changes. The second

work session was for Zoning Map Amendment 2024-01 regarding Warrenton United Methodist Church/Hero's Bridge. This was the Planning Commission's second work session on the proposal for a residential planned unit development (R-PUD) to construct 22 duplex units for age-restricted affordable housing to serve veterans. The project, located at 341 Church Street, would include two phases: an office community center with the 22 units, and a multipurpose recreational center with the existing church. These two items would proceed to the September seventeenth public hearing at the Planning Commission

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3. Human Capital Department Overview

Mrs. Kasey Braun gave an update on Human Capital initiatives. She reported a roughly 12.5% turnover rate for part-time and full-time staff combined in the last fiscal year (FY24), with most turnover coming from part-time positions, particularly at the WARF due to students returning to school. Full-time turnover was around 4% in FY24, down from 6% in FY23, indicating positive results from "cultivation efforts, transparency, collaboration, and more discussions" with staff.

Mr. Semple inquired about an increase in the department's overall cost from FY22.

Ms. Braun explained that the FY24 budget included a human capital generalist position to assist with cultivation, recruiting, and retention programs, and that some increases were due to grants for training efforts.

Mr. Mooney commended the department for reevaluating positions instead of simply hiring new people. He requested an updated breakout of all positions including if they were filled or vacant, and clarification on professional services expenditures.

Ms. Braun explained that fluctuations in professional services were due to studies (class and compensation, and organizational studies) and that funding was not always needed.

Mr. Mooney also asked for anticipated FY26 figures to inform future budget discussions.

Mr. Cassidy reiterated that the report provides direction for Human Capital and other departments, and welcomed feedback for building the next year's budget.

Mayor Nevill thanked Ms. Braun, noting that the report doesn't fully capture her dedication and efforts in building efficiencies and a professional atmosphere, which has led to successful initiatives and staff retention. The Mayor also credited the improvement in staff culture to the establishment of the Human Capital Department, which did not exist when he joined council in 2018.

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4. Police Department Overview

Chief Carter provided a high-level overview of the Police Department. He stated that the department has an authorized strength of 28 sworn officers and 4 civilian personnel (administrative assistant, records clerk, accreditation manager, parking enforcement officer). He

stated that the current sworn staffing is 27 officers, with two in field training and one attending the academy next month. Staffing has fluctuated due to resignations related to retirements, relocations, career changes, and agency changes, and retention is critical for operational resilience. The remaining vacancy is anticipated to be filled shortly. The department underwent a quadrennial accreditation assessment by VLEPSC and was unanimously reaccredited for another four years in March. The Police Department collaborated with the Fauquier County Sheriff's Office to provide the first joint community academy, a 9-week program engaging citizens and strengthening inter-agency relationships. The department completed a police vehicle project funded by a $60,000 American Rescue Plan Act grant, used to purchase a hybrid law enforcement vehicle and associated equipment, reducing costs and promoting environmentally friendly operations. This project puts the department ahead of schedule for its goal of 50% hybrid electric vehicles by 2025 and 100% by 2030. They also use soy-based tires for improved performance and reduced carbon footprint. Efforts are underway to refurbish two police motorcycles from 2007 and 2009 to keep them operational until replacement, upgrading wiring, and adding equipment. The Police Department, with Human Capital's assistance, is developing a comprehensive career development plan for all positions, including training, mentorship, job rotations, and career planning sessions to foster empowerment, motivation, and job satisfaction among employees, and to attract and retain top talent. Hiring certified officers offers cost savings of about $15,000 per officer compared to non-certified hires.

Mr. Mooney asked Chief Carter about "contractual repair," and the Chief explained it covers repairs and maintenance on equipment, including vehicle calibrations, which is distinct from "maintenance contracts."

Mr. Mooney also inquired about fluctuations in the budget for these items.

Chief Carter explained that some IT-related expenses had been moved to the IT budget to better tract associated costs. Regarding job openings, Chief Carter stated the number of applicants varies greatly, with some openings receiving 150 applications and others 40, noting that some applications are from individuals fulfilling unemployment requirements.

Mr. Semple asked about the department's retention rate compared to other municipalities.

Chief Carter reported losing eight officers since January 2023 due to retirements, relocations, and career changes, but noted few departures were due to personnel issues or pay, indicating a good competitive position. He stated that small agencies may not appeal to officers seeking more activity or specialty positions.

Chief Carter discussed traffic enforcement, mentioning the traffic task force and focusing on specific neighborhoods and streets with known issues. Enforcement includes using motor officers and the patrol division, but calls for service take priority.

Mr. Mooney asked questions regarding contractual repair and maintenance contracts.

Chief Carter explained the difference between the two items.

Mr. Mooney also asked how many applicants apply for openings.

Chief Carter answered that it depends on the position but the Town does receive a number of applications.

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5. Speed Limit Discussion

Mr. Cassidy introduced the item. He stated that staff investigated instigating a 20-mph speed limit throughout Town, which was newly allowed by state code. Staff concluded there is no need to adjust the town-wide speed limits at this time because neighborhoods that would be affected by a 20-mph limit have recently had their speed limits adjusted to 15-mph already. Given that success with existing adjustments and the efforts of the traffic task force (including speed humps, enforcement, and signage aligned with "Twenty is Plenty" and "Vision Zero" campaigns), staff recommended putting the town-wide 20-mph limit "on ice." Additionally, a town-wide change would cost between $15,000 and $20,000 just for signs, which is not currently budgeted.

Mr. Mooney clarified if the "Twenty is Plenty" campaign meant adjusting all speeds to 20 mph or keeping existing 15 mph and 25 mph limits. Mr. Cassidy explained that many neighborhoods that would have been targeted for 20 mph are already set at 15 mph.

Mr. Semple, initially thinking staff was pursuing a town-wide 20 mph limit, concurred with the recommendation to maintain current speed limits, especially in his ward where 15 mph limits are in place.

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6. VDOT SGR FUNDS (Alexandria Pike, Falmouth Street, Main Street)

Michael Wharton gave an overview of the current status of the VDOT State of Good Repair (SGR) program. This program funds improvements to existing infrastructure like pavement. The Town applied for and won 100% VDOT funding for improvements on Falmouth Street (from Falmouth Court to Main Street), Main Street (from Falmouth Street to Alexandria Pike), and Alexandria Pike (down to old Alexandria). The project, valued at over $628,000, will include upgrading ADA cross ramps and new striping. The Town Council's support was requested to sign the standard VDOT agreement.

Mr. Semple thanked Mr. Cassidy for the discussion, recalling a previous SGR project on Falmouth Street that stopped short of the intersection near his house, and he received a satisfactory explanation that VDOT independently controls these measures. He appreciated the communication from the town.

Mr. Mooney asked when the grant was applied for.

Mr. Wharton stated most grants are applied for in September/October and awarded around May/June.

Mr. Gagnon asked if the design would include raised crosswalks.

Draft

Mr. Wharton explained they would be similar to the existing Fifth Street crossings, providing more site visibility and potentially reducing speeding due to narrower curb lines.

Mr. Gagnon also asked if parklets were included, and Mr. Cassidy confirmed they were not, as the parklet program is an annual council vote.

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7. VDOT- Main Street Improvements

Mr. Wharton explained that in October 2019, the Town applied for a VDOT Revenue Share project for Main Street, originally covering Courthouse Square to Calhoun, costing $1.4 million. Due to COVID and cost escalation, the estimated cost rose to $5-6 million. In the last two years, Mr. Wharton has worked with VDOT to scope the project to Courthouse Court Street down to Fifth Street, focusing on bumping out ADA ramps along crosswalks and building off the original concept design. This project has 50/50 funding from the Town and VDOT, with the Town's commitment of approximately $556,000 already budgeted. The goal is to incrementally complete the project rather than lose it due to escalated costs. The project is also intended to tie into and be supplemented by the SGR funds mentioned previously, reducing the Town's cost burden. The current First Street improvements, including new drainage, ADA accessibility, and gas service relocation, are part of this broader Main Street concept.

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8. ZOTA-24-2 - Zoning Ordinance Text Amendment to Repeal Articles 4 and 5 to Address Changes to the Erosion and Stormwater Control Ordinance.

Ms. Heather Jenkins provided an overview. She informed the council that they had adopted on June 11, 2024, a new, combined Erosion and Stormwater Management Ordinance that is a separate, stand-alone document, as required by Virginia State law. As a part of the creation of the new, stand-alone Ordinance, the Zoning Ordinance must be revised to remove the out of date erosion and stormwater management regulations found in Article 4 and Article 5, as well as update several sections of the Zoning Ordinance that currently refer to Articles 4 and 5. This is a Town-initiated text amendment so as to remain in conformance with the requirements of the Code of Virginia, Section 62.1.44.15:51 Erosion and Sediment Control Law and Section 62.1-44.15:24 Stormwater Management Act, which became effective on July 1, 2024.

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9. A Town Code Amendment to Revise Sections 4-1, 4-33, and 4-61 Property Maintenance

Mr. Hunter Digges, the Town's Building Official, provided an overview of the proposed changes. He stated that current Town code limits enforcement capabilities by only allowing civil penalties for five specific Virginia Maintenance Code sections. The amendment will enable civil penalties and violations for the entire building and maintenance code and will give the Town the ability to abate unsafe structures if owners fail to do so after proper notice. Mr. Digges clarified that if a

resident does not meet a given timeline to abate violations or unsafe conditions, the Town can then go onto the property, abate those violations, and place a lien on the house.

Mr. Semple expressed concern that the amendment adds a criminal section to the ordinance, questioning if violators would be considered criminals and why criminal penalties are necessary over civil remedies.

Mr. Crim, Town Attorney, explained that some people are not motivated by civil penalties, and criminal penalties are an additional tool to abate violations more quickly. This tool would be used for property owners not responding to civil penalties, with the judge setting the fine and potentially requiring abatement as part of the criminal conviction.

Mr. Crim assured that courtesy notices are always sent before any enforcement action, and that the Town typically works with property owners who are looking to secure funding or sell the property.

Mr. Cassidy reiterated that the Town's approach is always voluntary compliance first and that these new tools will not change procedures for escalating enforcement. He explained that these escalated measures are for the less than 1% of violators who do not comply even after courtesy notices and notices of violation. He stated that this measure will help the Town be serious about property maintenance and prevent "demolition by neglect."

Mr. Gagnon asked to add a preamble to the ordinance stating that criminal penalties would be a last resort after all other remedies have been exhausted.

Mr. Crim agreed that a preamble could state the Town's intent to continue its policy of progressive enforcement with the goal of voluntary compliance.

Vice Mayor Hartman stated that the Town is not "reinventing the wheel" as this aligns with state law and many other jurisdictions. He clarified that it is an unclassified misdemeanor with no jail time.

Mr. Gagnon noted an increase in property maintenance complaints and Mr. Cassidy stated the reason was twofold: increased awareness of the code enforcement efforts and proactive staff.

Mr. Gagnon expressed reservations about the ordinance, citing the slippery slope argument regarding potential draconian use by future staff.

Mr. Cassidy responded that such use would stem from council direction and community desire, and that the legal process would regulate enforcement. He emphasized that these measures are for serious public safety issues, not minor violations like overgrown grass, and are intended to compel compliance for properties neglected for decades.

10. FY 2025-2026 Budget Season priorities and kickoff.

Ms. Brooke Campbell, Budget Manager, gave a presentation for the FY26 budget season kickoff, seeking council review and guidance. She mentioned that the formatted FY25 adopted budget is available online and hard copies would be provided. Department kickoff meetings for FY26 budget requests would be held in the coming weeks. She explained that the FY25 budget was

"needs-based" with a primary focus on capital needs, particularly water and sewer utility infrastructure. FY25 was the second year of rate increases from the FY23 water and sewer rate study, which recommends a phased approach to rate increases and strategic debt issuance for capital needs. FY26 will bring the third year of rate increases in line with the study's recommendations. The FY25 budget also aligned with the Town's mission, vision, and strategic goals from Plan Warrenton 2040, which will continue to be objectives for FY26.

Mayor Nevill emphasized the continued investment in water and sewer infrastructure to build a resilient system prepared for climate change, drought advisories, and increasing weather events, aiming for Warrenton to be an example of successful water management in 50 years. He reaffirmed support for the needs-based approach.

Mr. Mooney expressed a priority to find ways to avoid increasing water rates in FY26.

Mr. Gagnon concurred, noting residents do not want a third water bill increase. He also raised traffic and speeding issues in Ward 5, requesting more speed cameras for streets like Culpeper, Waterloo, and Winchester.

Mr. Mooney asked for a list of grants the Town plans to apply for.

Mayor Nevill suggested including economic development in the Town's expenditures, ensuring Warrenton remains competitive and attractive to businesses, providing jobs, and a strong tax base for infrastructure.

Mr. Hartman supported the needs-based budget and speed cameras, and stressed the importance of continuing to take care of Town employees, including merit and COLA increases and professional development, a priority he believes this council has successfully addressed.

Mr. Semple concurred with Mr. Hartman, commending the Town Manager for fostering a positive staff attitude and improved communication, which benefits council members and the town. He emphasized preserving the town's best assets while being mindful of taxpayer funding.

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11. Agenda Review

Mr. Cassidy provided an overview of the agenda items for the evening meeting, noting there would be no public hearings. He highlighted the consent agenda, which included the acceptance of a much-needed grant from the Department of Conservation and Recreation (DCR) for the Warrenton Dam. This grant would fund preliminary engineering reports, geotechnical reports, dam structural analysis, a bathymetric survey, and spillway assessment, representing the first step in dam improvements. The unfinished business included the Code of Conduct Committee update by Mr. Mooney.

Mr. Gagnon asked if the Code of Conduct was ready for a vote.

Mr. Cassidy replied it was just an update and continued discussion.

With no further business, this meeting was adjourned at 11:58 AM on Tuesday, September 10th, 2024.

II. REGULAR MEETING - 6:30 PM

Mayor Nevill called the meeting to order at 6:30pm. A quorum was present, and business could be conducted.

Mayor Nevill noted that Councilmember Semple would be joining the meeting remotely. He asked Mr. Semple to state his location and reason for remote participation.

Councilmember Semple stated that he was located at his home and participating electronically due to medical reasons.

INVOCATION.

Rev. Joe Kraft led the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Nevill led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITIONS.

Frank Cassidy, Town Manager, highlighted several "excellent items." He noted that the cemetery staff had worked hard with contractors to pave the roads, the first significant upgrade since the mid-1980s, which he found "phenomenal" and important for preserving the town's historical boundaries. Mr. Cassidy announced a new assignment with the exit of emergency manager Chris Melmer; the duties of emergency management coordinator were reassigned to Johnny Switzer. He also congratulated Johnny Switzer and his team for winning the Green Fleet award for the second year in a row, ranking 32nd nationally among the greenest agencies.

CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: January 9, 2024		
Name	**Address**	**Topic**

Draft

Winston Watt	158 Winchester St.	Property Maintenance
Don Bromley	320 Church St.	Hero's Bridge
Christopher Myers	237 Monroe St.	Hero's Bridge
Richard Fisher	120 Frasier Rd.	Hero's Bridge
Whit Robinson	38 E. Lee St.	Code of Ethics
Joe Washington	8086 Shipmadilly Rd.	

Winston Watt (158 Winchester St., Ward 5) spoke regarding property maintenance. He referenced a challenge he made two years prior to the council regarding their "backbone to enforce" a demolition by neglect amendment, and stated he was holding them to that promise. He noted that a group of citizens had found the ordinance's enforcement in "disarray" in September of the previous year, but thanked Frank's leadership for action, citing an increase in notices of violation and a neighbor beginning to side their house. He urged approval of the amendment to provide enforcement tools for flagrant violators.

Don Bromley (320 Church St.) spoke regarding the Hero's Bridge project. He expressed disappointment that the public hearing notice was only sent to Church Street and Moser Road residents, arguing the project's impact extends to the entire neighborhood and town. He stated the majority of his immediate neighbors oppose the project and suggested postponing the meeting due to short notice. He referenced the Strong Towns meeting, emphasizing Warrenton's unique small-town charm that attracts people, and urged careful planning over growth for tax revenue.

Christopher Myers (237 Monroe St., Ward 3) sought accountability regarding a voicemail left on June 13th by Mr. Semple to Mr. Gagnon about the Heroes Bridge project. He quoted a line: "then, of course, when you vote against the project, they can't be too pissed off." He stated that council's vision statement emphasizes honesty, respect, and fairness, which he believes were not displayed. He also quoted Mr. Gagnon's prior statements about disregard for citizens' will and breakdown of trust, suggesting Mr. Gagnon now displays similar traits. He read from an article quoting Mr. Semple, stating that both he and Mr. Gagnon reject "unfound criticism" and "distraction and controversy," which Mr. Myers found contradicted by the voicemail quote. He emphasized the need for accountability to preserve residents' trust in local elected officials.

Richard Fisher (120 Frazier Rd.) spoke regarding Hero's Bridge. He clarified that he and his neighbors are not "anti-vet," but view the project as a "special interest" that does not fit the current zoning or rules for changes. He argued that if he cannot build four small houses on his land and rent them out, then the church and Hero's Bridge should not be allowed to either. He found it interesting that Hero's Bridge was previously told no by Vint Hill and other county areas because the project "didn't fit," but now Warrenton seems willing to change its plans. He urged the Council not to give special interests more leeway than taxpayers. He also questioned the claim of a "huge homeless problem" in Warrenton, stating he doesn't see it. He noted an online petition opposing the project with 85 signatures.

Whit Robinson (38 E. Lee St., Ward 3) spoke regarding the Code of Ethics. He expressed his strong disapproval of citizens "pointing fingers" and misrepresenting facts regarding the voicemail, particularly maligning Mr. Semple as a veteran. He apologized to Mr. Gagnon on behalf of the community for an email insinuating he was harming children by doing his duty regarding traffic stacking.

J**oe Washington** spoke regarding civil discourse. He stated that civil discourse requires mutual respect between town council members and constituents. He encouraged citizens to be less apathetic and attend meetings, and for council members to truly listen. He emphasized that everyone needs to come together for a win-win situation for the town.

APPROVAL OF THE AGENDA.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Vice-Mayor Hartman was to approve the agenda.

Seconded by Ms. Sutphin.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent: Mr. Brett Hamby

The motion passed unanimously; the agenda was approved.

PUBLIC HEARINGS.

No public hearings.

CONSENT AGENDA.

Acceptance of Grant for Warrenton Dam

Motion made by Mr. Mooney to approve the consent agenda as presented. Seconded by Mr. Hartman.

The vote was as follows:

Draft

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent: Mr. Brett Hamby

The motion passed unanimously; the Consent Agenda was approved.

NEW BUSINESS.

No new business.

UNFINISHED BUSINESS.

Code of Conduct Committee Update by Mr. Mooney.

Mr. McGuire raised a point of order, stating that council members should adhere to a 7-minute speaking limit during regular sessions, as citizens are limited to three minutes.

Mr. Mooney stated he had sent out the updated version of the Code of Conduct and received feedback, which he would discuss with Mr. McGuire and the Town Attorney.

Mayor Nevill expressed a desire to adopt the Code of Conduct before the end of the year, in preparation for the new council.

TOWN ATTORNEY'S REPORT.

Mr. Crim provided an update on the Voluntary Settlement Agreement with the Arrington Boundary Line Adjustment. He announced upcoming public meetings: a tour for the Commission on Local Government (COLG) members on Monday morning, a 1 PM presentation by the developer and representatives from the Town and County to the COLG in the Town Hall chambers, and a 7 PM public hearing that evening where the public is invited to comment. The COLG will have a final public meeting the following Tuesday morning to draft a report, which will be sent to the Town Council and Board of Supervisors for adoption of an ordinance endorsing the agreement, potentially with COLG-recommended changes.

TOWN MANAGER'S REPORT.

Mr. Cassidy announced an asphalt paving schedule update for the Lee Heights subdivision (Wilson, Cleveland, Monroe, Jefferson Streets), which will begin this Thursday, earlier than anticipated, thanks to contractor availability. He reported that voluntary water restrictions are back in place and the Town is under a "warning" status. He clarified that while regional conditions

influence this, Warrenton's water resources are stable, and the restrictions are not mandatory at this time, but the existing resolution will remain active in case of a water emergency. Mr. Cassidy noted he would be on vacation next week in Florida, and the Deputy Town Manager would be in command.

COUNCILMEMBERS TIME.

Mr. McGuire: Stated he was unable to attend the work session. He emphasized that to address speeding, enforcement of existing speed limits is necessary, rather than just lowering limits or adding signs. He expressed appreciation for citizens attending but noted that politics have become too divisive and personal. He mentioned the Mayor's past political vilification due to his business and the importance of civility. He agreed with Mr. Cassidy about the importance of water supply, referencing other towns' water crises. He urged consideration of long-term impacts of votes for future generations and making decisions based on facts, not emotion and added that the Council would need to take a hard look at issues.

Mr. Gagnon: Noted many attended the Strong Towns presentation. He highlighted a key takeaway from Strong Towns: "No Neighborhood Should Experience Radical Change." He emphasized that people move to Warrenton with an expectation that things won't radically change around them and that the Town should be careful about approving projects that might be too radical. He added that while Strong Towns principles can be applied to various visions, his job is to represent his neighbors' quality of life and financial welfare.

Mr. Hartman: Commented on the discussion of "respect," noting it must go both ways. He praised the young citizens who attended the previous meeting, speaking civically and showing genuine concern for the town's future. He echoed Mr. Gagnon's comments on the Strong Towns presentation and thanked PATH Foundation and Oakview Bank for sponsoring it. He expressed his takeaway that the Town is on the right track with responsible growth

Mr. Semple: Found the Strong Towns presentation wonderful and believed it provided a pathway for addressing major town issues. He mentioned the 100th Anniversary Parade of the Warrenton Voluntary Fire Company, which reminded him of a fire engine he once owned. He congratulated Mr. Cassidy for consistently providing tools for good decision-making. He also looked forward to working on ethics changes to the Code of Ethics.

Ms. Sutphin: Thanked everyone for attending, acknowledging their shared passion for the town. She spoke about the importance of what the Town offers young families for future prosperity.. She disagreed with the notion that Warrenton doesn't have a homeless problem, citing individuals sleeping on the Greenway and in the woods, encouraging all to be more active in their community to see all side of it. She encouraged ride-alongs with police officers to see firsthand community issues and urged staying in touch with the community. She encouraged younger people to get involved as current decisions affect their future. She reiterated the Strong Towns message about avoiding decline and moving towards prosperity, emphasizing that "growth isn't a dirty word" and change is inevitable.

Mr. Mooney: Stated he would adhere to the seven-minute rule and thanked everyone for speaking. He thanked Johnny Switzer and commended Frank and his staff for their tactical approach to filling vacancies without hiring new people. He discussed national preparedness month, encouraging citizens to be ready for emergencies. He noted successful night work by contractors without significant complaints. He appreciated citizens' and staff's work to uphold town standards and prevent "demolition by neglect" of historical buildings. He congratulated Amanda Pavone for a Daisy Award nomination. He mentioned the Town won a VDOT grant for paving new streets at no cost to taxpayers. He thanked PATH and Oakview Bank for sponsoring Strong Towns and encouraged citizen input on the Zoning Ordinance update. He reminded that Code of Ethics update feedback is due October 1st.

Mayor Nevill: Shared history about the Warrenton Volunteer Fire Department and previous Town Hall locations. He thanked Strong Towns, PATH Foundation, and Oak View Bank for the productive, constructive, and positive conversation on growth and change, which he noted often doesn't happen in town. He stated that Strong Towns de-escalated the fear of "growth" and highlighted the prosperity it offers. He felt the conversation affirmed that the comprehensive plan and the council's vision align with the Strong Towns mission, leading to positive outcomes in progress. He encouraged continued involvement for productive, positive, open-minded, and aspirational discussions about the town's future. He also stressed considering environmental concerns for future droughts and extreme weather, and investing in climate resiliency for the future. He believed affordable housing would not happen without growth and that Strong Towns could help formulate a strategic plan for incremental growth.

ADJOURNMENT.

With no further business, this meeting was adjourned at 7:26 PM on Tuesday, September 10th, 2024.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on September 10th, 2024.

_____

Stephen M. Clough
Town Recorder

Attachments:

1) Handouts to Council from Citizen's time. September 10th, 2024.
2) Citizen Comment Emails and form submissions.
3) Signed legislation.

Draft

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

September 10th 2024, Regular Town Council Meeting Minutes

Attachment 1: Citizen Comment Emails and form submissions.

Draft

From: "Yoder Kelly - Fauquier" <kelly.yoder@fauquierhealth.org>
Sent: Tue, 13 Aug 2024 15:02:22 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Housing for community

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from kelly.yoder@fauquierhealth.org. Learn why this is important

To Whom It May Concern,

Fauquier county needs affordable housing for those not making a significant income. The laboratory in particular has staff that make $20 an hour and less. (Phlebotomy, Lab Assistants). In order to make ends meet, particularly in the current economy, the staff need to hold two full time jobs just to pay rent and car payments let alone childcare, groceries etc.

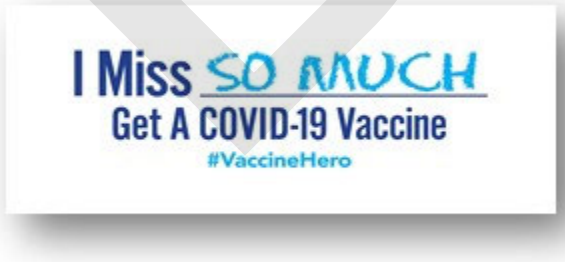
The lab will be bringing in an Agency Med Tech to cover while recruiting efforts to fill a position. The agency tech makes a decent wage, however she is in shock as to the apartment rent in this area. $1200 a month for a room in a house? That is twice what my mortgage was in PA and hers in NC.

Personally, I could not afford the property I have if I moved to this area in 2024 vs 2018. I'm thankful I moved when I did. However, I do consider moving to a more affordable area to make my salary go further.

People cannot afford the housing in this area and their truly needs to be a viable option or we will not be able to maintain staffing that are vital to patient care.

Please approve the affordable housing in Warrenton!

Kelly T. Yoder BS MT (ASCP)SH, MS HSL
Laboratory and Respiratory Admin Director
Fauquier Health | 500 Hospital Drive Warrenton, VA 20186
o: (540) 316-5602 | f: (540) 316-5601 | Kelly.yoder@fauquierhealth.org
facebook | twitter



Draft

The information transmitted via this e-mail is intended only for the person or entity to which it is addressed and may contain confidential and/or proprietary information. Any use, review, retransmission, dissemination or other use of, or pursuing of any action in reliance upon this information by persons or entities other than the intended recipient is strictly prohibited. If you are the recipient of this e-mail transmission in error, please reply to the sender and delete the material from any computer. Thank you.

Draft

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com" <noreply@civicplus.com>
Sent: 13 Aug 2024 10:27:14 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

Public Comment

Name	Shawna Cochran Breeden
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Email Address	shawna.cochran@fauquierhealth.org
Phone Number	4349066138
Committee, Board, or Commission Type	Town Council
Agenda Item	Warrenton Village Center Project
Comment	I am a nursing director at Fauquier Hospital and would like to voice my concern for affordable housing in the county for our nursing and ancillary staff. We have found it to be a huge burden for staff to live farther away and commute in for shift and on call coverage for the operating room and procedural based units. I would like to respectfully ask for your consideration on this project. We truly need to have healthcare staff that live and work in this community rather than having to commute almost an hour away. I myself live over 45 minutes away because of the lack of housing when I took the leadership position in Surgical services. We have had a really hard time recruiting and retaining staff due to the cost of living and lack of housing options in the county. The hospital is thriving and in order to continue to offer amazing, quality care to our community, we are asking that new apartments and townhomes be allowed to come to Warrenton. Our aging population will need great caregivers that are able to remain within a reasonable drive to the hospital and other care

Draft

locations within the county. I know that many of the council can remember when we did not have staff to care for patients or perform surgeries after COVID, but now we are thriving and need to have housing options for our staff to live here. In order to maintain this positive momentum, we need housing to continue growing our hospital-based services.

Email not displaying correctly? View it in your browser.

Draft

From: "Busy Bee Cleaning"
Sent: Tue, 13 Aug 2024 12:38:48 -0400
To: """ <citizencomment@warrentonva.gov>
Subject: Warrenton village

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

[You don't often get email from mybbc10@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Good evening,
I recently was able to attend the chamber event in regard to the Warrenton Village project. I was unable to attend this evenings meeting, but wanted to go on record as to voice my appreciation for this beautiful project that I feel would help so many people with the housing problem that our city currently has. Most of our employees come in from neighboring towns as Warrenton is very limited on housing.
The project itself is beautiful and looks like a wonderful way to bring the community together.
Thank you for taking the time to read my opinion.
Respectfully
Stephanie Mongue

Busy Bee Cleaning, LLC.™
Phone: [redacted]
Email: [redacted]
Web: http://www.mybusybeecleaning.com/
Google: https://g.page/Busy-Bee-Cleaning-LLC/review?id
Yelp: https://velp.to/aTKa/8hOExb3Uh8
Facebook: https://m.facebook.com/BusyBeeCleaningLLC1/
Tiktok: https://www.tiktok.com/@busybeecleaningllc?
Twitter: https://www.twitter.com/BUSYBEECLEAN1NG
Linked-In: https://www.linkedin.com/in/stephanie-mongue-852761123

Draft

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com" <noreply@civicplus.com>
Sent: 13 Aug 2024 14:28:23 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Public Comment

Name	Abigail Ballard
Address	7256 Hastings Lane
City	Warrenton
State	VA
Zip Code	20187
Email Address	[redacted]
Phone Number	[redacted]
Committee, Board, or Commission Type	Town Council
Agenda Item	Warrenton Village Center- High Density Housing
Comment	I am writing to express our opposition to the proposed plans for the extension of Warrenton Village Center and the plans to build apartments and townhomes in this development. The proposition for this plan will significantly impact traffic around the area. As residents of Ivy Hill, a small subdivision nearby the proposed development area, we are concerned about the impact this will most certainly have on us as well as our neighbors. Specifically: increased traffic through our neighborhoods which many may already use as a cut through to avoid Rt. 29 (which will become significantly more congested). Impacts to property values, our roadways that simply can not support the traffic.

Draft

The proposed size and architectural layout of this plan does not fit in with Warrenton or the Town of Warrenton. We chose to move to Warrenton to distance ourselves from these types of developments- packing hundreds of dwellings into a small area of land.

We are strongly opposed to this project. Period.

Abigail Ballard

Email not displaying correctly? View it in your browser.

Draft

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com" <noreply@civicplus.com>
Sent: 13 Aug 2024 15:21:27 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Public Comment

Name	Azmir Kabilovic
Address	15
City	Warrenton
State	VA
Zip Code	20186
Email Address	[redacted]
Phone Number	[redacted]
Committee, Board, or Commission Type	Town Council
Agenda Item	SUP2022-05 Warrenton Village Center
Comment	Good afternoon, Please approve this project. We need more housing for our community. This project will help the town to move forward in the future. Thank you.

Email not displaying correctly? View it in your browser.

Draft

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com" <noreply@civicplus.com>
Sent: 13 Aug 2024 15:57:14 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

Public Comment

Name	Margaret DiVincenzo
Address	428 Falmouth St
City	Warrenton
State	VA
Zip Code	20186-3863
Email Address	[redacted]
Phone Number	[redacted]
Committee, Board, or Commission Type	Town Council
Agenda Item	Warrenton Village enter
Comment	I've been resident of the Town of Warrenton for over six years. The small town ambiance and sense of community are a large part of what drew me here. Growth happens - it's normal. Very fast growth isn't the norm, nor should it be. Essential, basic services such as water supply and sewer need to be clearly planned according to potential need. With all the current, pending and possible housing developments, we have nowhere near a sufficient plan for these. Therefore I'm completely opposed to the Warrdnton Village project.

Email not displaying correctly? View it in your browser.

Draft

From: "Joe Ficarelli" <[redacted]com>
Sent: Thu, 15 Aug 2024 22:53:31 +0000
To: "Citizencomment@warrentonva.gov" <Citizencomment@warrentonva.gov>
Subject: Semple voicemail

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I hope the town council investigates a Bill Semple and Eric Gagnon for using PTSD as a card in a game against a fellow council member. The thought of them using a serious mental illness is disgusting and below the office they hold.

Joe Ficarelli
Sent from my iPhone

Draft

From: "Kayla Johnson" <[redacted]>
Sent: Fri, 16 Aug 2024 00:45:14 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Hero's Bridge

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted] Learn why this is important

Hello,

The actions of two town council members, Semple and Gagnon, are reprehensible and their resignations should be submitted immediately.

How does the Town of Warrenton plan to ensure impartial consideration of the Hero's Bridge Village proposal?

Thank you,

Kayla Johnson

Draft

From: "Town Clerk" <townclerk@warrentonva.gov>
Sent: Mon, 19 Aug 2024 11:37:38 +0000
To: "citizencomment" <citizencomment@warrentonva.gov>
Subject: FW: Request Your Kind Assistance
Attachments: WARRENTON VILLAGE.doc

Stephen Clough, CMC
Town Clerk, FOIA Officer
Town of Warrenton, VA

21 Main Street
Warrenton, VA 20186
M: (540)-714-9270
warrentonva.gov

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From: K Lisbeth <croix000@aol.com>
Sent: Wednesday, August 14, 2024 12:39 PM
To: Town Clerk <Townclerk@warrentonva.gov>
Subject: Request Your Kind Assistance

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Mr Stephen Clough
Town Clerk / Warrenton Town Council

Draft

re: SUP 2022-05 Warrenton Village / New Castle Development

Mr Clough,

May I *please* implore you to submit this citzen's comment into the record for the Council's reading, and consideration?

Thank you.

Draft

WARRENTON VILLAGE / NEW CASTLE DEVELOPMENT "NO" FOR SO MANY REASONS

DENSITY & HEIGHT

Warrenton Village's non-conforming height and over-concentrated density is *in the wrong place*…amid a *1-story* setting, crammed onto a fraction of Amazon's data center acreage.

This colossus alone could swell Town population 10%. The Prince William Times called New Castle's Development's proposal "radical" - meaning *extreme* change. Warrenton Planning Commissioner James Lawrence adeptly cautioned: *"I think all of us are concerned; can the town handle this traffic, infrastructure, etc.? How badly does the town need this?"*

A special-use permit exception to increase to 3-story limit on Oak Springs drive would be an affront to all Warrentonian's. Why should these 3 too-condensed in-town complexes *tower over* the rooftops of two 1-story shopping centers, buildings across Rte 17, two adjacent 1-story schools, a 1-story nursing home, two elderly apartment complexes, and every other of the neighboring residential units? Why did everyone else agree to conform to the 3-story limit except New Castle? A 4-story apartment complex and a 4-story garage is an aesthetic affront to all those unfortunate to live around Warrenton Village, and to *all* town residents

"AFFORDABLE" HOUSING

New Castle Development Group *knows* the term "*affordable*" is chump bait. Our Council would be shamefully gullible to bite that hook. Of the 320 apartments and 66 townhomes only 10% may be "low-income." That's only 38 units, whereas 333 units, 90% will NOT be low-income, NOT be so affordable. And Developers have not been transparent on just how "affordable" their cheapest *initial* rental rate will be for their most undesirable units.

There's also snake oil in Warrenton Village hawking RENTALS, because that is an ever-escalating income stream. New Castle are not altruists; they seek hand-over-fist rental profits. Rentals return far more than sales. HUD reports: *last year alone*, rental rates soared 12.6% to home sales' 8.3%. The Town's support would subjugate these renters to recurrent landlord profiteering increases - most egregiously for those 'affordable's.'

And 20% of all renters fall behind on payments. So, would Council approval of Warrenton Village create the region's 'eviction central' for those 76, or more rent-delinquent families?

PARKING GARAGE

Warrenton's 2040 comprehensive plan calls for "*creating a sense of place*." A 4-story garage would be antithetical in every way and definition, destroying our small Town's *not out-of-scale, not out-of-portion*, bucolic, and Historic and Landmarks Register *character.*

Mixed retail-residential Gainesville does not have a parking garage. Culpeper does not have a garage. Neither Haymarket, or Marshall has a garage, nor New Baltimore, Vint Hill, Bealton, or Catlett. If an elevated concrete garage is incongruous for *every one* of our neighboring communities, who is our Town Council wanting us to be, *Fairfax*?

Route 17's Northern Gateway will be blighted by an over 60-foot high, night-lit 450-car concrete parking garage. Then the first-impression approaching Warrenton on Rte 17 will mirror steroid suburban jungles like Tyson's Corner, Ballston Commons, Reston, or Merrifield Town Centers. That is *not* - not what our "Experience Warrenton" motto purports.

INFRASTRUCTURE

Newly approved and proposed for Warrenton are at-least 853 more residential units. Such out-sized growth in a small town is *taxing.* Water and sewer rates are up 23%. There will also will be need to levy increased taxes and fees on residents for expanded police, fire and rescue, trash, leaf, and Christmas tree pick-ups, winter road salting, plowing, other maintenance, and for schools, parks and recreation.

Expanding services will come with needs and costs for hiring more personnel to manage zoning, administration, operations, support, records and accounts. Residents will get strapped to pay for more hiring, more salaries, health insurance, employee vacations, other benefits and pensions. A cost of community services for Culpeper estimated that for every $1 generated by residential housing, it actually cost the County $1.22. Their cost deficit is *a red flag…* and could be exponentially higher/worse here for us.

TRAFFIC

The Village's entire 450 car garage will empty onto Oak Springs Drive requiring significant access and road changes, traffic light additions, and longer red light/turn lane cycles. Currently, parent vehicles dropping-off/ picking-up children at Highland School line-up on Rte. 17 and two-lane Oak Springs Drive, where that bottleneck forces both east/west through-drivers to veer into the on-coming traffic's lane in order to pass-by. *40 dozen* more cars on narrow Oak Springs Drive will create our Town's single worst roadway choke point.

450+ more vehicle trips concentrated at Broadview Avenue's busiest bend will also burden and slow Warrentonian's initial drive to/from Great Meadows, the Plains, I-66 and Marshall.

MISREPRESENTATION

New Castle purports *only 2 dozen* additional children will need admission to Schools. How can all THREE blocks of 320 "MULTI-FAMILY" units house *only* 24 children? There is *no validity* to their assertion. And *in future years*, who knows how many dozens more school-age children may possibly occupy Warrenton Village's *family* apartments and townhomes?

NO BENEFITS FOR EXISTING RESIDENTS / "*How badly does the town need this*?"

- Will Warrenton Village complement, or enhance our small-town character – NO
- Will the project's scale, density, and location be right for the site and neighborhood – NO
- Will 4-story apartments, and a 4-story garage have any aesthetic merit/curb appeal – NO
- Will 386 residences and the garage's all-night lighting be desirable – NO
- Will the 386 renters help shoulder our County property tax burden – NO
- Will Warrentonian's be invited to use the Village's garage, swimming pool, dog park – NO
- Will more stop lights, longer red-light cycles, and heavier traffic be beneficial – NO
- Would you be proud to live-by, or drive your out-of-town visitors past this complex – NO

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com" <noreply@civicplus.com>
Sent: 9 Sep 2024 11:11:48 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Public Comment

Name	Dawn Arruda
Address	149 Pinnacle Ct
City	Warrenton
State	VA
Zip Code	20186
Email Address	[redacted]
Phone Number	[redacted]
Committee, Board, or Commission Type	Board of Zoning Appeals
Agenda Item	Hero's Bridge project
Comment	I am hoping to make it to the meeting on the 17th of September but in case i can not I would like to send my thougths and comments on this very important project. I do not what to get into the comp plan as you all know it falls within this plan. I would like to say that it was fairly easy for the Warrenton Afforable house project to get approved and i think based on that alone knowing the need in this town is great for all types of housing for the unrich! I say that with respect but also with empathy to the ones who want to stay here and be active members of the town but who are being taxed out or pushed out due to zero afforable options. As an Air Force Vet myself I can not figure out why this is a problem, this is a solution to give back to the people who have put themselves in situations

Draft

to save our country and freedoms and we should be able to make these projects happen. None of the negative comments have nor should have any baring on this projects viablity. This is straight up common sense people, just say yes!!!

Email not displaying correctly? View it in your browser.

Draft

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

September 10th, 2024, Regular Town Council Meeting Minutes

Attachment 2: Signed legislation

Draft

September 10, 2024
Town Council
Regular Meeting
RES-24-09-01

A RESOLUTION TO AMEND THE FISCAL YEAR 2025 ADOPTED BUDGET TO APPROPRIATE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION REIMBURSABLE GRANT FUNDING IN THE AMOUNT OF $194,596 TO FUND ACTIVITES RELATED TO DAM SAFETY AND FLOODPLAIN MANAGEMENT

WHEREAS, the Warrenton Town Council is charged by the Code of Virginia with the preparation of an annual budget for the Town of Warrenton; and

WHEREAS, on June 11, 2024, the Town Council adopted the Town of Warrenton Fiscal Year 2025 Budget; and

WHEREAS, during the fiscal year, certain events occur that necessitate amending the budget; and

WHEAREAS, the Town has executed a grant agreement with Virginia Department of Conservation and Recreation in the amount of $194,596 of reimbursable grant revenue funds for technical, planning, design and other pre-construction activities related to dam safety and floodplain management; and

NOW, THEREFORE, BE IT RESOLVED, that the Warrenton Town Council Hereby amends the Fiscal Year 2025 Adopted Budget to appropriate $194,596 of reimbursable grant revenue to be used for dam safety and floodplain management.

Votes:
Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

For Information:
Budget Manager

ATTEST: _____
Town Recorder

Draft

TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, October 08, 2024 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON OCTOBER 8th, 2024, AT 9:00 AM

Work Session	
PRESENT	Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby Mr. Eric Gagnon; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.
ABSENT	Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire
Regular Meeting	
PRESENT	Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.
ABSENT	Mr. James Hartman, Vice Mayor

I. WORKSESSION - 9:00 AM

The Mayor called the meeting to order at 9:00 AM. He stated that Mr. Mooney and Mr. McGuire were not present, and Mr. Hartman was expected shortly. He continued noting that business would proceed with the finance department overview.

1. Finance Department Overview

Ms. Stephanie Miller provided an overview of the Finance Department's responsibilities, including budgeting and long-term financial planning, revenue management (tax, fee, utility billing and collection, treasury management, and investment of town funds), debt issuance and management, accounting and financial reporting, accounts payable, payroll, and procurement. She stated that the proposed budget must be delivered to the council by April 1st, necessitating an earlier start to budget work. The FY26 budget process recently kicked off at the end of September, and departments meet quarterly with the budget manager to review spending. The adopted budget is available on the website, and printed copies of both the budget and the CIP document were placed in Council mailboxes. The department is working on a "budget in brief" document for FY25 to provide highlights in a condensed, easier-to-read format for citizens.

Draft

Adequate planning for the town's capital needs is a crucial part of the budget process, with the Capital Improvement Plan (CIP) outlining a six-year plan for major projects. The CIP document also includes a Capital Asset Replacement Plan (CARP), which acknowledges the need to maintain or replace large capital assets and infrastructure on a regular schedule, aiding financial advisors in long-term financial planning. The department received the distinguished budget presentation award from the Government Finance Officers Association (GFOA) for its FY24 budget, recognizing it as a strong policy, financial, operations, and communications document.

Ms. Miller stated that in 2021, Council adopted comprehensive fiscal policies to ensure compliance, safeguard funds, and properly account for assets; these are reviewed and updated annually. This past year, three new policies were added: a Capital Improvement Plan policy (setting a $100,000 threshold and 10-year useful life, outlining identification, decision-making, and funding strategies), a Grant Application and Acceptance Policy (outlining authorization for departments to pursue and obtain grants), and a TAP Privilege Fee Assessment Policy (setting a one-year limit to use the TAP and requiring an administrative fee to refund the TAP). The department encourages engagement, having attended town talks in March to inform the public about the budget process and providing a game for citizens to allocate funds. They also created a "Finance 101" training for new staff to understand town funds, budgeting, procurement, and bill payment.

On the revenue management side, key dates include business license renewal applications due March 1st (with payment by June 30th), first-half real estate and stormwater bills due June 15th, and personal property and second-half real estate and stormwater due December 15th. Monthly activities include meals tax, lodging tax, and utility billing, with additional state revenue received at various intervals. An ordinance adopted in 2022 allows partnering with an outside collection agency for delinquent accounts, with the fee paid by the account holder. Over 50% of real estate balances sent to collections have been recovered, and other tax types will be sent soon; multiple notices are sent before an account goes to collections. The department is also working on purchasing cards through the state's program to provide a more efficient purchasing avenue and generate revenue back to the town through higher rebate percentages.

Ms. Miller continued explaining that an annual external audit is required by Virginia Code, with the Virginia Auditor of Public Accounts providing guidelines and reviewing work. A single audit is required if over $750,000 in federal funding is spent, with federal guidelines. The audit process runs from May/June through November, consistently receiving an "unmodified opinion," meaning financial statements are free of material misstatement. The Annual Comprehensive Financial Report (ACFR) is the result, detailing actual performance against the budget, and must be filed annually with the Auditor of Public Accounts and presented to Council in December. A Popular Annual Financial Report (PAFR) was drafted for FY23 but not published; it is intended for FY24 to provide a condensed, easy-to-read summary of the more extensive ACFR. The PAFR focuses on the general fund, illustrating revenue sources, expenditures, and fund balance. The Town has received the GFOA's financial report award for the past thirty years, recognizing transparency and full disclosure.

Mr. Semple confirmed that the reports were in their mailboxes and requested a copy of the slideshow.

Mayor Nevill asked about the estimated revenue impact from the Chick-fil-A closure; Ms. Miller estimated "a couple hundred thousand dollars". Mayor Nevill also noted the upcoming Sheetz remodel for budget planning.

Mr. Semple inquired about plans for new meals tax revenue sources, to which Ms. Miller responded that turnover and new businesses are always a factor, but timing is uncertain.

Mr. Cassidy emphasized that now is the time for Council to engage in budget discussions, as the current budget is tight and any cuts could impact customer service. He cited sanitation as an example of a service where changes (e.g., third-party, different pickup amounts) could be explored, requiring time for estimates.

Mr. Hamby asked for the best estimate for next year's revenues; Ms. Miller stated estimates are still being developed.

Mr. Hamby expressed that he would not suggest cutting services.

Mr. Cassidy explained that outsourcing trash collection to a third party would result in a fee to every homeowner and likely the loss of a county stipend, significantly increasing costs for citizens.

Mr. Hamby requested revenue estimates before considering service reductions. Mr. Cassidy emphasized the need for lead time for complicated research into service changes.

Mr. Semple inquired about year-to-date financial performance and projections, suggesting that relying solely on the adopted budget distorts the picture.

Ms. Miller explained that departmental overviews provide consistency, and quarterly financial reports show year-to-date spending.

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2. Information and Technology Department Overview

Mr. Jonathan Stewart, Information and Technology Director gave an overview of the IT department's operations, noting key initiatives align with Plan 2040 and aim to stay within budget. They have revised the asset replacement schedule for reliable equipment and extended timelines for greater value. Town phone service was migrated to a more robust platform with lower ownership and maintenance costs. The second initiative is selecting an Enterprise Resource Planning (ERP) software package, as the Town faces challenges with legacy software in finance and public works/utilities, including limited support and lack of interoperability. Anticipated benefits of ERP include streamlined processes, reduced human errors, and increased employee productivity, contributing to long-term success. The three beneficial reasons for using ERP are increased efficiency and transparency (through automation and integration), aligning processes between departments (addressing fragmented data), and becoming a data-driven government (delivering insights into citizen requirements). Prompt replacement of the legacy system is needed to prevent downtime and costly fixes. Pre-planning ensures software aligns with the budget and delivers value.

Mr. Gagnon asked about the cost of the ERP system for this year and out years, and if the focus remains on the finance system.

Mr. Stewart stated that the entire town's software infrastructure is outdated, including Public Works, and that ERP would benefit all departments. He could not provide specific numbers yet due to variables in vendor selection and phasing, but hopes to have them soon as they near the end of the selection process after three years of research.

Mr. Cassidy added that the current figures are within budget, and the goal is to avoid incremental "band-aid" software purchases that are segmented. He explained that ERP will provide a consistent and efficient model, eliminating wasteful costs from outdated software. He noted that while ERP programs are not cheap, their overall efficiencies make them cost-effective over time, providing better data for resource allocation and serving customers in real-time.

Mr. Gagnon clarified if costs are within projected budgets, and Mr. Cassidy confirmed they are currently under what town staff had been projecting, but added that contracts are still being negotiated to ensure a comprehensive service package. He explained that they are down to three vendors and are also considering how ERP will improve communication and collaboration with other jurisdictions like the County.

Mr. Semple asked if the procurement process differs from usual since it involves evaluating services based on merit.

Mr. Stewart confirmed this, and Mr. Cassidy stated a consolidated report on their objectives could be provided once the vendor is finalized, which will give a clearer picture of the service package and how existing software will be consolidated and eliminated.

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3. Planning Commission Update From the September 17, 2024, Regular Meeting

Ms. Denise Harris gave an update on the Planning Commission's activities. Two (2) public hearings were held on September 17th. The first was for a Special Use Permit (SUP) at 71 South Fifth Street, where Mr. Robert Samia sought permission for an auto dealership in an existing building with no physical changes. The Planning Commission recommended approval of this SUP with conditions. The second public hearing was for a Zoning Map Amendment (ZMA) for Warrenton United Methodist Church and Hero's Bridge, proposing a residential planned unit development (PUD) for 44 two-family residential units for age-restricted affordable housing to serve veterans, along with walking trails and an office/community center. The Planning Commission held this public hearing open until its next meeting (October 15th) to allow for public comments on the applicant's updated September 30th application.

Mayor Nevill asked about changes to the Hero's Bridge application.

Ms. Harris explained that the original application had two phases, but Phase 2 (a potential 19,000 sq ft multi-use recreational center) has been removed due to issues with determining transportation and water/sewer impacts. The project is now solely the residential component, and proffers have been added for maintenance and ongoing succession. Additionally, the term

"veterans" has been removed from the proffers related to the Fair Housing Act and whether veterans are a protected class.

Mr. Semple asked about the schedule and potential presumption of approval if the Planning Commission misses its deadline.

Mr. Crim confirmed that there is a presumption of approval unless the applicant grants more time.

Mr. Semple also asked when the Planning Commission's recommendation would be brought before the Town Council.

Ms. Harris stated it would come to the November work session and then a December public hearing. Mr. Crim stated that staff would be requesting a closed session would be requested for the November meeting to discuss these issues.

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4. **SUP 2024-01: 71 S. 5th Street. The Owner/Applicant, Mr. Robert Samia, seeks a Special Use Permit for the reinstatement of a pre-existing use as a car dealership at 71 S. 5th Street (+/- 0.2869 acres). The Applicant is requesting permission for the use of the parcel as an auto dealership in an existing building with no physical changes, under Article 3-4.11.1 of the Zoning Ordinance, as the non-conforming use as an auto-dealership lapsed in the last few years. The property is a zoned C (Commercial) and designated Old Town Character District in Plan Warrenton 2040 (GPIN 6984-42-4640-000).**

Ms. Casey Squyres gave an overview of SUP 2024-01 for 71 South 5th Street. The owner/applicant, Mr. Robert Samia, seeks a Special Use Permit (SUP) to reinstate a pre-existing use as an auto dealership in the existing building, with no physical changes proposed to the building or parcel. The auto dealership use had lapsed as a nonconforming use in recent years. The property is zoned Commercial and designated Old Town Character District in Plan Warrenton 2040.

Ms. Squyres explained that during Planning Commission and staff review, primary issues raised were related to parking, emergency services, and traffic flow. She provided a diagram from the applicant outlining the proposed parking (18 total spaces) for inventory (blue), customers (yellow), and employees (red), as well as traffic flow for loading/unloading. A key concern was ensuring vehicles do not block Fifth Street during loading/unloading. The Planning Commission held a work session on August 27th and a public hearing on September 17th, recommending approval as written (4-0-1 vote). This item will come before Council for a public hearing in November.

Mr. Semple stated he received calls and emails from an adjacent landowner concerned about potential traffic impact and parking issues on Fifth Street, recommending a traffic study and the installation of a sidewalk for pedestrian safety, especially given its easy access to the Greenway.

Mayor Nevill asked if there was a cap on the number of cars for sale on the lot; Ms. Squyres confirmed the cap is 18 vehicles, with 12 intended for outdoor display, and the interior might

hold two. Mr. Hamby asked about the adjacent parcel; Ms. Squyres stated Mr. Samia owns it but it's not part of this application and is used for automobile repair businesses, routinely receiving tow truck drop-offs.

Mr. Hamby asked about other car dealerships in the historic district; Ms. Squyres did not believe there were any others.

Mr. Hamby asked about enforcement of loading and unloading vehicles.

Ms. Heather Jenkins replied that it would be a zoning code enforcement issue, involving notices of violation and copying the Motor Vehicle Dealers Board, which could pull their license.

Chief Carter confirmed this happens infrequently on West Shirley Avenue, as the police address it when seen.

Mr. Hamby expressed concern about the limited space on Fifth Street for such operations. He also asked if the owner could use the adjoining property for unloading; Ms. Jenkins stated it would be permissible if it didn't interfere with fire lanes or the roadway.

Mayor Nevill inquired about prohibiting 18-wheeler deliveries; Ms. Jenkins confirmed this could be added as a condition, especially to avoid blocking Fifth Street.

Mayor Nevill suggested conditioning deliveries to the municipal lot, using flatbeds or rollbacks, to avoid blocking streets.

Mr. Hamby opposed using taxpayer-funded municipal lots for private business deliveries, suggesting the adjoining private lot should be used.

Mr. Hamby asked about the draft conditions and the ability to change them through the Architectural Review Board (ARB).

Ms. Jenkins stated the SUP conditions take precedence, meaning any ARB-approved changes would have to be minor (e.g., windows, signage, roof, chimneys, doorways) and not alter the dealership's operation. She confirmed that signage would fall under the historic district sign ordinance.

Mr. Hamby also noted conditions prohibiting raised hoods or flashing lights, which he found challenging for an auto dealership but consistent with the historic district. He questioned if the lack of existing outdoor lighting meant new lighting would require ARB approval.

Mr. Semple asked if staff was satisfied with the applicant's responses to previous comments.

Ms. Jenkins responded yes.

Mr. Gagnon asked if a traffic study was needed, and Ms. Jenkins stated the use does not trigger a traffic impact analysis, though a site plan (the next step) would require showing estimated total vehicles per day, which could necessitate entrance improvements if exceeding previous levels.

Mr. Gagnon also raised concerns about sufficient parking given the limited inventory and customer spaces, and potential overflow parking on the street.

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Ms. Squyres mentioned a nearby municipal lot that could be used for required parking.

Mr. Semple asked about the historical use of the property as a car dealership and if there were past complaints.

Ms. Squyres confirmed it had been a nonconforming use for a long time but lost that status after ceasing operation around 2020 due to a more than two-year gap, requiring this SUP process.

Ms. Jenkins stated she had no record of complaints for the property.

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5. A Town Code Amendment to Revise Sections 4-1, 4-33, 4-61, and 4-62 Property Maintenance

Mr. Hunter Digges gave an overview of the proposed changes. He stated that a preamble was added to Section 4-1, subsection (a), as requested by Council. The amendment changes the criminal penalties section (which already exists in Town Code) to building code violations, making it more restrictive. The main purpose is to address the civil penalty section by allowing the Town to impose civil penalties for the entire building code. Section 4-61, abatement of unsafe structures, is also addressed. Staff plans to place this on next month's agenda as a public hearing item.

Mr. Semple asked about the frequency of civil penalties if a homeowner refuses to comply over a long period.

Mr. Digges confirmed the amendment is for such situations, allowing the Town to gain compliance through court systems and impose civil penalties.

Mr. Semple inquired about potential outcomes of a court judgment.

Mr. Cassidy stated a judge could issue a series of orders focused on compliance, starting with fines (per day or set fines, depending on severity) and escalating to ordering the Town to take action, with all costs, fees, and penalties assessed to the property owner, potentially leading to a lien.

Mr. Crim added that in extreme cases, the Town could take over ownership to fix the property, with the lien eventually leading to foreclosure if not paid, similar to a tax sale.

Mr. Gagnon asked for clarification on the fine assessment process under Section C.2 of the civil penalties.

Mr. Crim explained that if compliance is not achieved, a new offense can be charged every ten days, with fines racking up but not exceeding a total of $4,000; the judge ultimately determines the frequency and amount of fines. The maximum for subsequent summons is $350.

Mr. Gagnon asked how the penalty schedule compares to other jurisdictions. Mr. Crim stated it's similar to most jurisdictions with escalating fees and fines, and they also try to connect homeowners with charities or government assistance if they lack funds for repairs.

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Mr. Gagnon asked how this would apply to current building code violation cases.

Mr. Crim stated it would not be applied retroactively but would apply to existing cases moving forward, setting the rules for future enforcement.

Mr. Cassidy clarified that it won't automatically escalate cases; they must still meet progressive criteria and follow all procedures.

Mr. Semple asked about discretion if a homeowner claims hardship.

Mr. Crim reiterated that staff looks for alternate funding sources or assistance.

Mr. Cassidy added that staff already works to understand each homeowner's story to find avenues for voluntary compliance, using a resource list, donated time from contractors, and volunteers.

Ms. Sutphin emphasized that communication with the Town prevents escalation. She added that renters can also call and report substandard conditions.

Mr. Gagnon raised a hypothetical about a property owner subleasing apartments and asked about the Town's means to inspect for unsafe conditions like electrical or fire hazards.

Mr. Crim stated that voluntary compliance is sought first, but if there are reliable reports of unsafe conditions, a search warrant can be obtained if probable cause is shown to a magistrate.

The Mayor stated that this amendment is a result of citizen input concerning neglected properties, affecting property values, safety, and the general condition of the Town.

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6. Proposed Change to Business License Filing Due Date

Ms. Miller provided an update on a proposed change to the business license filing due date. Currently, renewal applications are mailed in January and due March 1st. The Code of Virginia allows changing this date as late as May 1st.

Ms. Miller suggested moving the due date to April 15th to align with federal income tax filing, as many businesses (especially smaller ones filing Schedule C) often request extensions until federal taxes are done. This change offers more flexibility to businesses and should not have other impacts. If acceptable, an ordinance change would be advertised next month.

Mr. Semple asked about business income tax return due dates; Ms. Miller confirmed businesses are on a calendar year basis.

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7. E. Shirley Ave. Sanitary Sewer

Mr. Cassidy and Mr. Steven Friend, Director of Public Utilities, provided an overview of an ongoing issue with flooding in the East Shirley Avenue area during extreme weather events. They

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explained that the system functions well 99.9% of the time, but heavy rain overloads it. They have been working with property owners, confirming backflow valves are installed and functioning. They noted that the issue appears to stem from the gravity line, not the forced line from the pump station. They explained that the problem is compounded by the low elevation of the properties, creating very little fall from their sewer laterals into the town's system, leading to backflow when the rubber flapper valves are breached by even a pinhole.

Mr. Cassidy explained the situation was similar to basement systems, with mechanical backflows and grinder pumps, to overcome the gravitational issues of being below grade. He added that it was also planned to upgrade manholes downstream, which may help alleviate the strain on their system.

Mr. Hamby inquired about increasing the main line depth and its effectiveness.

Mr. Friend explained that increasing depth wouldn't help, as it would create a "belly" unless the depth was increased all the way to the wastewater plant, requiring a wet well and pump. He stated they are looking at widening manholes (from 4ft to 6ft) to increase flow. He reiterated that the issue is primarily one of elevation and extreme weather, not a system design flaw.

Mr. Hamby asked if lines could be manually sealed during storms; Mr. Friend strongly advised against it due to backup risks.

Mr. Friend confirmed a new backflow valve was found at one property, but it didn't prevent flooding from recent rains, leading them to believe a tighter or mechanical backflow is needed. The solution will likely involve cooperation between property and the Town.

Mr. Semple confirmed that ARPA funds are not available for this fix because it is not a shovel-ready project and is years out in the CIP.

Mr. Gagnon urged the Town to take immediate action. He suggested the Town install check valves (automatic and manual) and alarms in the lines to empower homeowners.

Mr. Cassidy explained that historical town policy holds the private property owner responsible for mitigating backflow, and any town-wide program would have significant financial implications. He encouraged property owners to get professional plumbing assessments and work with their insurance companies.

Mr. Hamby asked for a list of all sewer backups over the past 10 years town wide.

Mayor Nevill noted that the property owner was advised to install alarms in 2014 to address this issue, but it was not done.

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8. Agenda Review

Mr. Cassidy reviewed the agenda for the evening meeting. He stated that the only public hearing would be for ZOTA 24-2, the stormwater control ordinance refinements to align with state requirements. The consent agenda would include the reallocation of unspent

ARPA funds to the wastewater treatment facility and infrastructure improvements, which recently had a bid opening for the primary clarifier work.

Mr. Semple asked about the current funding for the clarifier at the wastewater treatment plant; Mr. Friend stated it is around $14 million total, with $5.4 million from ARPA funds.

Mr. Cassidy re-confirmed that the Code of Conduct committee update would be moved to the November work session.

With no further business, this meeting was adjourned at 10:53 AM on Tuesday, October 8th, 2024.

II. REGULAR MEETING - 6:30 PM

Mayor Nevill called the regular meeting to order at 6:30 PM. A quorum was present.

INVOCATION.

Dr. Wendall Fuller led the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Nevill led the Pledge of Allegiance

PROCLAMATIONS AND RECOGNITIONS.

Mr. Frank Cassidy, Town Manager, presented "Excellence in Action" acknowledgments. New hires in Parks and Rec were Anthony McGurk, Miles Wreck, and Ali Eggers. Cole Landon was a new hire in Public Utilities at the water treatment facility. Promotions included Stephen Kusterbeck to Head Guard in Parks and Rec, Travick Johnson from part-time to full-time maintenance worker in Public Works, and Roy Carpenter to maintenance work in the sanitation division. Hunter Diggs was recognized for passing difficult exams for his final certifications, earning him the official titles of Building Official, Property Maintenance Official, and Fire Official. Brian Jenkins was recognized for obtaining his Class 4 Virginia Wastewater Works Operator License. The Finance Department received the Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ending June 30, 2023.

CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: October 8th, 2024		
Name	**Address**	**Topic**
Winston Watt	158 Winchester St.	Property Maintenance Text Amendment
John Albertella Warrenton Preservation Alliance	360 Culpeper St.	Property Maintenance Text Amendment
Joseph Washington	8085 Shipmadilly Ln.	Co-Existence

Winston Watt (158 Winchester St.) spoke about the property maintenance amendment. He emphasized that enforcing property maintenance is a progressive process, with the amendment serving as a last resort. He urged Council to ensure fair and equitable application, keeping in mind property owners who may lack resources. He stated the amendment aims to address the "one person out of a thousand" who refuses to care for their property, protecting the town's pride and ensuring tenant safety. He urged Council to vote for approval next month.

John Arbatello (Warrenton Preservation Alliance, 360 Culpeper St.) spoke on behalf of the Warrenton Preservation Alliance, an informal group concerned about neglected historic properties. He expressed strong support for strengthening the town's enforcement of building and property maintenance codes, especially for significant historic properties in "demolition through neglect" condition. He stated that the proposed text changes are appropriate and essential for difficult situations, particularly concerning "chronic offenders" who ignore violations while tenants live in unsafe conditions. He noted the town has declared two properties unsafe. He emphasized that the proposed fees and penalties, applied only in the final stages of due process, are profoundly beneficial to the community's well-being when uniformly applied and properly overseen by Council.

Joseph Washington (8085 Shipmadilly Ln.) spoke about coexistence. He encouraged vigilance as elections approach, urging unity and doing what is best for the community regardless of political beliefs. He stressed winning and losing gracefully and quoted Charles Swindoll on the importance of attitude in reacting to life's events

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APPROVAL OF THE AGENDA.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Councilman Mooney was to approve the agenda.

Seconded by Councilman McGuire

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

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Nays:
Abstention:
Absent: Mr. James Hartman, Vice Mayor

The motion passed unanimously; the agenda was approved.

PUBLIC HEARINGS.

ZOTA-24-2 - Zoning Ordinance Text Amendment to Repeal Articles 4 and 5 to Address Changes to the Erosion and Stormwater Control Ordinance. The Town Council adopted on June 11, 2024, a new, combined Erosion and Stormwater Management Ordinance that is a separate, stand-alone document, as required by Virginia State law. As a part of the creation of the new, stand-alone Ordinance, the Zoning Ordinance must be revised to remove the out of date erosion and stormwater management regulations found in Article 4 and Article 5, as well as update several sections of the Zoning Ordinance that currently refer to Articles 4 and 5. This is a Town-initiated text amendment so as to remain in conformance with the requirements of the Code of Virginia, Section 62.1.44.15:51 Erosion and Sediment Control Law and Section 62.1-44.15:24 Stormwater Management Act, which became effective on July 1, 2024.

Public Hearing: ZOTA-24-2 - Zoning Ordinance Text Amendment to Repeal Articles 4 and 5 to Address Changes to the Erosion and Stormwater Control Ordinance.		
Name	**Address**	**Organization or Individual**

Ms. Heather Jenkins, Zoning Administrator, introduced the text amendment. She explained that Council adopted a new combined stormwater and erosion control ordinance in June, as required by state code. This amendment ensures the zoning ordinance complies by removing outdated Articles 4 and 5 (the old stormwater and erosion control ordinances) and updating all references in the zoning ordinance to Chapter 21 of the town code. She added that this was previously discussed in last month's work session and again this morning.

The Public Hearing opened at 6:47 PM. There were no speakers. The Public Hearing closed at 6:48 PM.

Councilman Hamby made a motion to approve ZOTA-24-2 - Zoning Ordinance Text Amendment to Repeal Articles 4 and 5 to Address Changes to the Erosion and Stormwater Control Ordinance

Seconded by Councilman Semple

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:
Absent: Mr. James Hartman, Vice Mayor

The motion to approve ZOTA-24-2 - Zoning Ordinance Text Amendment to Repeal Articles 4 and 5 to Address Changes to the Erosion and Stormwater Control Ordinance, passed 6-0

CONSENT AGENDA.

Budget Resolution-ARPA Fund Reallocation

The Mayor explained that the ARPA funds that were unspent would be reallocated within the wastewater treatment and infrastructure improvements, remaining within the same category.

Motion put forth by Councilman Mooney was to approve the Consent Agenda as presented.

Seconded by Councilman Hamby

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent: Mr. James Hartman, Vice Mayor

The motion passed unanimously; the Consent Agenda was approved.

NEW BUSINESS.

There was No New Business.

UNFINISHED BUSINESS.

There was No Unfinished Business.

TOWN ATTORNEY'S REPORT.

Mr. Crim updated the Council on pending litigation matters.

1. **Cross Case (Amazon Data Center):** Motions are pending for protective and to compel discovery.
2. **FOIA Case (Citizens for Fauquier County):** A petition for appeal has been filed by outside insurance counsel, and the Virginia Supreme Court will decide whether to hear the appeal.

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3. **Voluntary Settlement Agreement (Commission on Local Government):** The COLG held meetings and a public hearing, and sent requests for further information regarding water and wastewater treatment plant upgrade plans, costs, Taylor Run pump station, receiving stream capacity, and the recently released restrictive covenant on the wastewater treatment plant.

Mr. Crim also reported that a Memorandum of Understanding (MOU) with Fauquier County for the use of Town Hall has been finalized.

Mr. McGuire confirmed the MOU can be cancelled at will.

TOWN MANAGER'S REPORT.

Mr. Cassidy reported that fall cleanup is this week, with crews picking up curbside items. Public Works is hosting a "cookies and craft" event this Thursday at 1 PM for children to learn about public works. Parks and Rec is holding a series of Halloween events on October 26th, starting with a parade on Main Street at 9:45 AM, followed by "trunk or treat" in the parking lot, and a flashlight candy hunt at Rady Park at 7:15 PM. Town Hall will be closed on Monday for a holiday.

COUNCILMEMBERS TIME.

Mr. Mooney- Congratulated all new promotions. Thanked citizens who reached out, specifically mentioning good conversations with the gentleman from the Preservation Alliance and appreciating their work and effort. Wished everyone a great month and encouraged prayers for Americans suffering from recent events.

Ms. Sutphin- Thanked everyone for attending, noting their passion for the town despite differing views. Expressed concern for residents living in neglected homes. Spoke about the ongoing devastation from recent weather events in Florida and urged prayers for affected families. Emphasized that "change is inevitable" and thanked everyone

Mr. Semple- Shared his background with the National Trust for Historic Preservation and experience restoring his 1906 home in Old Town. Stated the importance of preserving Old Town as the most important asset. Acknowledged the obligation of homeowners to maintain properties, and supported the Town's response to residents lacking resources, while emphasizing the need for tools to ensure compliance for public safety. Switched topics to a personal anecdote about his son-in-law assisting a family member during the recent hurricane, highlighting the widespread commitment citizens are making. Expressed heartbreak for residents in all affected states and emphasized the need for diligence in protecting citizens with available resources during extreme weather events

Mr. Hamby- Echoed sentiments about recent weather disasters in Southwest Virginia, Tennessee, North Carolina, South Carolina, Georgia, and Florida, noting continued Northern Virginia resources assisting down south. Requested a more detailed map of manholes, sewer, and water infrastructure in the Legion Drive/Shirley Avenue area, as current maps are old or inaccurate. Suggested making Main Street parklets permanent and putting this on the November work session agenda, citing issues with temporary openings due to weather and costs for

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business owners. Also suggested making the First Street improvements (including the larger bump out outside the building) permanent. Commented on the impact of business closures/pauses (e.g., Chick-fil-A, upcoming Sheetz remodel) on meals tax revenue

Mr. Gagnon- Echoed Mr. Hamby's concern for public health and safety. Described the "disgusting" and "intolerable public health issue" of raw sewage backing up into six homes on East Shirley Avenue during heavy storms due to geography and elevation. He noted this has happened repeatedly. He advocated for immediate, short-term remediation steps, such as installing automatic and manual check valves and alarms in sewer lines, which he stated would be nominal in cost compared to multi-million dollar infrastructure repairs. He stressed empowering homeowners to take immediate action and making life better for current residents rather than focusing only on future grand plans.

Mr. McGuire- Appreciated support for property maintenance and emphasized consistent enforcement of laws, including speeding. Described conditions on Haiti Street as "atrocious" and in need of fixing. Referenced Patsy Cline's song "Crazy" (originally "Stupid") in commenting on political civility. Acknowledged first responders killed in the recent hurricane, noting people rush in as others leave. He offered thoughts and prayers to Jimmy Hartman for his surgery. Supported building a parking garage for increased economic activity and emphasized the importance of infrastructure, especially water, in light of recent storms. Urged doing "the right thing"

Mayor Nevill- Connected the themes of increasing storm frequency and the need for system-wide infrastructure improvements. Emphasized that public utilities should not "go cheap" but make necessary investments to be climate change ready, storm ready, drought ready. He urged the current and incoming Council to take this responsibility seriously, follow financial advisors' advice, and support Public Utilities/Public Works, stating that delay will only lead to more emergency situations. Announced the closure of the Boys and Girls Club and commended efforts by Ms. Sutphin, the WARF, Parks and Recreation, First Baptist Church, and PATH Foundation to find programming opportunities for children in need, calling it a "tremendous reflection of what a small town is". Expressed prayers for residents affected by the storm in Florida, North Carolina, Tennessee, Kentucky, Georgia, and Southwest Virginia, acknowledging the horrific damage and the community's role in recovery.

ADJOURNMENT.

With no further business, this meeting was adjourned at 7:18 PM on Tuesday, October 8th, 2024.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on October 8th, 2024.

_____

Stephen M. Clough

DRAFT

Town Recorder

Attachments:

1) Handouts to Council from Citizen's time. October 8th, 2024.
2) Citizen Comment Emails and form submissions.
3) Signed legislation.

Draft

October 8th, 2024, Regular Town Council Meeting Minutes

Attachment 1: Handouts to Council.

Draft

Dr. Wendell C. Fuller, I

Chaplain

8106 Frytown Road

Warrenton, VA 20187

October 8, 2024

Town Council of Warrenton, Virginia

% Stephen Clough, Warrenton Town Clerk

21 Main Street

Warrenton, VA 20186

In The Name of God, The Beneficent, The Merciful

Oh God,

You are peace.

From you comes peace,

To you returns peace.

Revive us with a salutation of peace,

And lead us to your abode of peace

"We have turned our face sincerely towards He who has brought forth the heavens and the Earth and We are not of those who associate partners with God. Indeed our prayer, sacrifice, life, and

Draft

death are all for God, Lord of all the Worlds. He has no partner. This we are commanded and we are of those who Submit. O God, You are the King, none has the right to be worshipped except You. You are our Lord and we are Your servants. We have wronged our souls and acknowledged our sins. Forgive us all our sins for no one forgives sins except You. Guide us to the best of character for none can guide to it other than You, and deliver us from the worst of character for none can deliver us from it other than You. Here we are, in answer to Your call, happy to serve you. All goodness is within Your hands and evil does not stem from You. We exist by your will and will return to you. You are Most Blessed, Most Exalted. We seek Your forgiveness and we repent unto You."

Our Lord! Condemn us not if we forget or fall into error; our Lord! Lay not on us a burden Like that which Thou didst lay on those before us; Our Lord! Lay not on us a burden greater than we have strength to bear. Blot out our sins, and grant us forgiveness. Have mercy on us. Thou art our Protector; Help us against those who stand against faith."

Let the People of Peace Say Amen

Dr. Fuller

Wendell C. Fuller I, EdD

Draft

October 8th 2024, Regular Town Council Meeting Minutes

Attachment 2: Citizen Comment Emails and form submissions.

Draft

From: "Joe Grimsley" <[redacted]>
Sent: Wed, 11 Sep 2024 13:38:55 +0000 (UTC)
To: "CITIZENCOMMENT@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Hero's Bridge

You don't often get email from [redacted] Learn why this is important

Good Day Town Counsil,
We, Joe and Hellen Grimsley of Joe's Servicenter at 116 Sullivan Street are in favor of the Hero's Bridge project.
We as a community need to make sure we are looking out for our senior citizens who are in need.

Many Thanks,
Jennifer
C/O Joes's Servicenter

[redacted]

Draft

From: "Helen Worst" <[redacted]>
Sent: Thu, 12 Sep 2024 14:24:43 +0000 (UTC)
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Veterans Housing

You don't often get email from [redacted] Learn why this is important

Dear Council Members and Mayor,

My name is Helen Morrow Worst and I live at 326 Falmouth Street in Warrenton Virginia. In World War II, my grandparents packed their two children (my Mother 6 and her Brother 10) into a single bedroom to open their house to four soldiers from Vint Hill since there were not enough barracks for soldiers during the war. My Grandparents offered breakfast and dinner every day to these four men and shared their one bathroom. Some of the bonds created lasted a lifetime with one soldier naming his son after my Grandfather. How far have we descended, when our community (my Grandparents were not the only household to offer soldiers homes) that once opened their homes to our soldiers is actually considering refusing to share our streets, water, sewer, and hearts to assist the veterans who gave their all so we can reap the benefits of their sacrifices? Is this really the example we want to set for our children?

It is time for our generation to take a lesson from the pages of the greatest generation. Please approve Hero's Bridge, and keep our community a loving generous community, whose kind spirit is what makes people want to live here.

Thank you for your service to our community by serving on the Council and for seriously considering my comments.

Helen Morrow Worst
3rd Generation on Falmouth Street

Yahoo Mail: Search, Organize, Conquer

Draft

From: "Don Bromley" <[redacted]>
Sent: Thu, 12 Sep 2024 13:00:12 -0400
To: """ <citizencomment@warrentonva.gov>
Cc: "" <cnevill@warrentonva.gov>," <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>," <hsutphin@warrentonva.gov>; "" <wsemple@warrentonva.gov>," <bhamby@warrentonva.gov>; """ <egagnon@warrentonva.gov>; "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>; "wsemple@warrentonva.gov" <wsemple@warrentonva.gov>; "dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Subject: ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge
Attachments: Planning Commision Letter.docx

Some people who received this message don't often get email from [redacted] Learn why this is important

09/12/2024
To:
The Planning Commission of the Town of Warrenton

I know this is a long letter, however this is an important subject to our neighborhood so I hope you take the time to read it fully.

This note is in response to the notice of the public hearing that will be held on Tuesday September 17, 2024 at 7:00PM – ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge. As you are aware, the owners/applicants are requesting a zoning change of the ≈9.864 acres from R-10 and RO to R-PUD for the addition of 22-two-family dwellings for a total of 44 units. This letter is misleading as the actual buildings proposed will only be on a much smaller section of this property, only 3.9 acres for these 22 dwellings.

The note is also misleading in that it says the housing is to provide affordable housing for seniors ages 65 and older. It does not state, as is my understanding and I have seen in writing, that these 65 year olds are limited to US Military Veterans who actively served in the Vietnam, Korea and Second World wars. As the Vietnam war ended in 1973, Korea treaty in 1953 and WWII in 1945 and assuming the soldiers were a minimum age of 18 at the end of the wars, the Veterans will be a minimum of the ages of 69 for Vietnam Vets, 89 for Korean War Vets and 97 for WWII Vets, meaning the residence for this property will likely only be Vietnam Vets. This is pointed out only for the awareness of The Planning Commission.

As you are aware this request requires a special exception to the existing zoning laws. The existing laws should take precedence.

Draft

The primary purpose of this letter is to make you aware that a majority of the residents of the surrounding neighborhood are against this project. This is not at all because of the Veteran status of the proposed residence of the community. Our neighborhood is composed of active military, former military, family members and descendants of both of these groups. We strongly support our soldiers and veterans and we are very aware of the need for lower-income housing in the area. The objection to this project is based on the fact that it does not fit into this neighborhood. These objections have been pointed out at several Town Council meetings, at meetings with both the United Methodist Church and Hero's bridge representatives.

There has been a petition circulated around our neighborhood. To my awareness, at last count 85 of my neighbors have signed this petition. I am hoping it has been forwarded to the Planning Commission.

A few of the concerns are that the increased traffic on the narrow roads in this community cannot support the increased traffic this project will bring. Making the entrance and exit to this community one-way does not correct these concerns. This creates other issues, as you will now have a crossing traffic pattern at the proposed entrance. With a very active Daycare on site and the other evening and other social activities, not including the Sunday and Holiday Church traffic, there is already a good amount of traffic that comes and goes into the Church property.

I live directly across from the proposed entrance to this property. I lowered the sensitivity on my doorbell camera so I would no longer get as many alerts from passing traffic. These are still in the neighborhood of ≈100 a day, mostly in the morning and evening. With the addition of 44 more residents this traffic will of course increase.

Making the entrance/exit to the community one way will not prevent people coming to the community from driving through the narrow connecting roads in the neighborhood to get to this community.

Hero's Bridge states as these are older individuals they will not be driving very much. If the residences are not driving then the deliveries to these people's homes would have to increase. People still need to eat and will need other deliveries such as prescriptions and general household items. People will be moving in and out as well. It's a sad fact that senior citizens are not long term residents.

Hero's Bridge states that this will be a walking community. As a senior citizen of this age myself, I can tell you this neighborhood is not set up for walking, and I am a walker. It has inadequate sidewalks, limited crosswalks on the main roads in walking distance going to the

areas one would want to access, and has some steep hills heading to Old Town. These would not fit the needs of most senior citizens.

As the residents will be senior citizens there will be a higher need for emergency services in the area than in most neighborhoods. Emergency vehicles will regularly be coming into the area at all times of day and night. The construction equipment required to build this community alone would put a great deal of traffic and wear and tear on the road into and around this neighborhood for many years.

Property values are also a major concern. Most of the families in this neighborhood, similar to all residential neighborhoods in the country, have a majority of their investment in their homes. Hero's Bridge says this project will not affect property values. I know personally this is not to be true. I purchased what I intend to be my retirement home on Church St in 2022. Had I known in advance about the plans for this project I would not have purchased the property. I may have considered it as a short-term residence at perhaps $200,000 less than I paid, and would not have put the great deal of money I put into this house to bring it up from its 1960's design to more modern house standards. I believe housing values will drop dramatically.

In conclusion, there is the feeling among the neighbors I have spoken to that the Hero's Bridge project is a done deal and is just waiting for the rubber stamp of approval to get started. Although I wish this was not the case it is the feeling I have as well. I have personally contacted both the Church and Hero's Bridge offering alternative plans to this project that would be more acceptable to the neighborhood that I believe could truly limit the impact to the neighborhood. These suggestions seem to have fallen on deaf ears. I can offer these suggestions to the Planning Commission and the Council Members should they be interested. I would attach them, however that may give the faults impression we have accepted this as a forgone conclusion, which we truly hope is not the case.

We are asking the Planning Commission and the Council Members to do the right thing and deny this project. There are other areas that can be found that would be more suitable, however there is the appearance that this area is being targeted through different organizations for some reason that is not available to me, and there is a great deal of pressure to put it here.

Thank you for your time

Best regards,

Don Bromley

320 Church St.

Warrenton VA. 20186

[redacted] should you want to speak to me personally.

Draft

From: "wildmer arevalo" <[redacted]>
Sent: Sun, 15 Sep 2024 02:20:57 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: The W.A.R.F skatepark

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Hello, My name is Wilmer Arevalo a frequent visitor of the town of warrenton's skate park resided at the W.A.R.F. Me and a couple other of the local skaters there wanted to bring some issues to the council's attention that could change a community. I wanted to start off by stating that the park is very old and is starting to fall apart, many of the obstacles are getting to the point where they are almost unskatable and very unsafe especially for the younger children which leads me to problem number two. Many of the children who are with the families who usually go to the hockey practices or games swarm the skate park and most of the time are unattended and have sustained Injuries from the park. There needs to be a sign up stating the rules of the park because if there is no rules the town could get into some trouble if the wrong persons kid gets hurt on that old equipment and finally the park needs a RENOVATION AND NEW CONCRETE this is a huge one the skate park is amazing and is a staple to me and my friends lives considering we have been going there since we where young and now we are all almost 21 the park's concrete is way too rough and needs to be redone and the park also needs to be renovated and maybe expanded. The skatepark is old and falling apart it is time for a renovation to not only keep people going to the park but to also bring in new faces and hopefully build more of a skate community that can bring in new businesses and more revenue to the town, the best example of this would be Fredericksburg they have a skate park which has a community that host events and is very close to the skate shop in the city/town and that park has new faces everyday compared to warrenton where you see a new face every three months. Finally I just hope this is a consideration for the towns plans to expand the beautiful town of warrenton and if there is any possibility of this happening i would love to work closely with the council to keep the people informed and to figure out the money situation
Contact info: [redacted]
540-340-230

Draft

From: "[redacted]" on behalf of "[redacted]" <[redacted]>
Sent: Mon, 16 Sep 2024 12:29:56 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Planning Commission - September 17 - Support for Hero's Bridge Village: A Positive Step for Our Community

You don't often get email from [redacted]. Learn why this is important

[resending as I got a kick-back message]

I'm writing to express my full support for the development of **Hero's Bridge Village**—a unique community designed to uplift and serve aging veterans in need. As we know, many veterans face difficult challenges as they age, including substandard living conditions and social isolation. This initiative seeks to address these problems by providing affordable housing, access to services, and a supportive environment for veterans aged 65 and older already in our area. The Bible frequently emphasizes the respect and care due to the elderly, and providing them with housing and support aligns with these values.

I understand that some residents have concerns about the potential for drug or alcohol abuse among the veterans who will live in this community. It's important to remember that these concerns could apply to anyone in any neighborhood. Just as you don't screen a person's character when they purchase the home next door, a blanket assumption about veterans is both unfair and unfounded. The propery managers of Hero's Bridge Village will conduct the same rigorous screenings as other rental communities, including background checks and sex offender registry screenings, ensuring the safety and well-being of all residents.

Moreover, it's worth emphasizing that the vast majority of these veterans have lived full, productive lives without trouble. They have served their country honorably and now, in their later years, deserve a safe, supportive community.

Many veterans may face challenges like fixed incomes, health issues, or the inability to work due to their age. The village will not only provide stable housing but also an environment that fosters dignity, care, and belonging. By providing a stable home for elderly veterans, the community can bridge generational gaps. The presence of older veterans in the neighborhood offers opportunities for younger generations to learn from their experiences and honor their service. This helps cultivate a culture of respect and intergenerational solidarity.

As this development is supported by the church, it's essential to reflect on how this aligns with our Christian faith. The Bible teaches us to care for those in need and to show kindness and hospitality.

- In **Leviticus 19:32**, we are reminded to "*Stand up in the presence of the aged, show respect for the elderly and revere your God. I am the Lord.*"
- In **First Timothy 5:1-3**, Paul says, "*Do not rebuke an older man harshly, but exhort him as if he were your father. Treat younger men as brothers, older women as mothers, and younger women as sisters, with absolute purity. Give proper recognition to those widows who are really in need.*"
- In **James 1:27**, we are reminded that "*Religion that God our Father accepts as pure and faultless is this: to look after orphans and widows in their distress and to keep oneself from being polluted by the world.*"

Many of our aging veterans, often lonely and forgotten, fall into this category of those whom God calls us to serve. Hero's Bridge Village is a living expression of this biblical mandate.

By supporting Hero's Bridge Village, we are answering that call. We are offering a place of safety, community, and respect for those who have sacrificed much for us. This project isn't just good for veterans; it's good for our community, enriching it by offering compassion and showing that we value all members of society, especially those who have served.

I hope you will join us in supporting this transformative initiative.

Thank you.

Louis McDonald
WUMC Leadership Team Chair

Louis McDonald
[redacted]
Twitter: louismcdonald

Draft

From: "Don Bromley" <[redacted]>
Sent: Mon, 16 Sep 2024 21:43:09 -0400
To: """ <citizencomment@warrentonva.gov>
Cc: "" <cnevill@warrentonva.gov>," <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>," <hsutphin@warrentonva.gov>; "" <wsemple@warrentonva.gov>," <bhamby@warrentonva.gov>; """ <egagnon@warrentonva.gov>; "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>; "wsemple@warrentonva.gov" <wsemple@warrentonva.gov>; "dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Subject: Re: ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge
Attachments: Proffer response.docx

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Some people who received this message don't often get email from [redacted]. Learn why this is important

09/16/2024

To:

The Planning Commission of the Town of Warrenton

This note is in regard to the Proffer Statement Warrenton United Methodist Church/Hero's Bridge dated August 16, 2024 and references the Fauquier Now article 'Warrenton Planning Commission continues discussions, sets public hearing for Hero's Bridge project'.

I would like some clarification on the following as well as point out some vague or misleading information.

First this Proffer continually mentions the project being on +/-9.864 acres. I believe this is the entire church property. The Actual Hero's bridge project will only cover approximately 3.9 of these acres. With 22 buildings plus an additional office building shown on the property this is approximately 0.169 acres per building. About 1/6 acre per building. In early information provided the individual units were around 770 sq ft each, which is the size of a 'Tiny House'

Draft

Under Development And Use, Section 2. a. Residential. iv. This is changed from what was proposed of limited to US Military Veterans who actively served in the Vietnam, Korea and Second World wars to only veterans over 65.
The Fauquier Now article points out that limiting residents on the basis of military service could violate the Virginia Fair Housing Act, which “makes it illegal to discriminate in residential housing based on race, color, religion, national origin, sex, elderliness, familial status, disability, source of funds, sexual orientation, gender identity, or military status.
It also mentions Mr. Crim saying he would be researching whether a “preference for veteran status” breaches the Virgini Fair Housing Act. Has this been looked into? Does it meet the requirements?

For informational purposes only, as the Vietnam war ended in 1973, Korea treaty in 1953 and WWII in 1945 and assuming the soldiers were a minimum age of 17 at the end of the wars, the Veterans will be a minimum of the ages of 68 for Vietnam Vets, 88 for Korean War Vets and 96 for WWII Vets, meaning the residence for this property will likely only be Vietnam Vets if this was the case or it would need to be opened up to other veterans as well.

The Fauquier Now article points out that this raises concerns among commissioners about potential legal conflicts. Are there any?

Under the same Development And Use, Section 5. b. it states the Applicants “shall <u>not</u> be required to make the homes available first to persons residing in the Town of Warrenton or Fauquier County but shall be permitted to rent to qualifying under its rules and regulations developed for this purpose.
Questions: Wasn’t this supposed to address the needs of lower income people in the Town of Warrenton or Fauquier County? This will not in this case.
Does this open the rentals to Veterans only nationwide?

Under Community Design, Section 6. Architecture, 3. Height: No new structure on the Property shall exceed 35 feet in height. The standard height of a one-story building is 15 feet. This suggests that there will be multi-level buildings on the property. The original information we were given says these will be single story residences. What is correct?

Draft

It has been noticed that the entire Water and Sewer and Stormwater Management sections has been crossed out. The flooding in this area during heavy storms has been a concern brought up by the neighborhood's residents to Hero's Bridge and the Church. Is there a plan for these? There needs to be a solid plan in place before this project is approved as the flooding can be quite bad, especially in the area where this housing is proposed to be built.
Also I am unaware of there being sewer lines on Church Street. Ours run behind the houses.

Under Transportation Section 11. Phase II Pedestrian Improvements suggests that the sidewalk will only be on Church Street extending only to Sullivan Road. Is this adequate for something said to be a 'Walking Community"?

Regards,
Don Bromley

On Thu, Sep 12, 2024 at 1:00 PM Don Bromley <[redacted]> wrote:

09/12/2024
To:
The Planning Commission of the Town of Warrenton

I know this is a long letter, however this is an important subject to our neighborhood so I hope you take the time to read it fully.

This note is in response to the notice of the public hearing that will be held on Tuesday September 17, 2024 at 7:00PM – ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge. As you are aware, the owners/applicants are requesting a zoning change of the ≈9.864 acres from R-10 and RO to R-PUD for the addition of 22-two-family dwellings for a total of 44 units. This letter is misleading as the actual buildings proposed will only be on a much smaller section of this property, only 3.9 acres for these 22 dwellings.
The note is also misleading in that it says the housing is to provide affordable housing for seniors ages 65 and older. It does not state, as is my understanding and I have seen in writing, that these 65 year olds are limited to US Military Veterans who actively served in the Vietnam, Korea and Second World wars. As the Vietnam war ended in 1973, Korea treaty in 1953 and WWII in 1945 and assuming the soldiers were a minimum age of 18 at the end of the wars, the Veterans will be a minimum of the ages of 69 for Vietnam Vets, 89 for Korean War Vets and 97 for WWII Vets, meaning the residence for this property will likely only be Vietnam Vets. This is pointed out only for the awareness of The Planning Commission.

As you are aware this request requires a special exception to the existing zoning laws. The existing laws should take precedence.

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There has been a petition circulated around our neighborhood. To my awareness, at last count 85 of my neighbors have signed this petition. I am hoping it has been forwarded to the Planning Commission.

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I live directly across from the proposed entrance to this property. I lowered the sensitivity on my doorbell camera so I would no longer get as many alerts from passing traffic. These are still in the neighborhood of ≈100 a day, mostly in the morning and evening. With the addition of 44 more residents this traffic will of course increase.

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Draft

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Thank you for your time
Best regards,
Don Bromley
320 Church St.
Warrenton VA. 20186
[redacted] should you want to speak to me personally.

Draft

From: "Melissa Hunt" <[redacted]>
Sent: Tue, 17 Sep 2024 11:50:09 -0400
To: """ <citizencomment@warrentonva.gov>
Subject: Hero's Bridge Village - Hero's Bridge/Warrenton UMC

You don't often get email from [redacted]. Learn why this is important

Good morning,

For a brief time, I would like you to forget the words Heroes and Veterans. I would like you to hear out loud just some of the many deficiencies that your professional staff have given you this evening and please consider, are you willing to accept these deficiencies with any land use plan before you? Then factoring back in Heroes and Veterans, would you be doing these future residents a disservice by approving a plan with so many critical deficiencies such as access for emergency services and lack of safe connectivity?

I ask you to please remember that a good plan for our community comports with the existing zoning ordinances that have been carefully crafted by professional staff and are in place to promote to **"Improve the public health, safety, convenience, and welfare of their citizens…" Virginia State Code § 15.2-2200. Declaration of legislative intent.**

1. First and foremost: The Staff has "continued concern regarding whether Title VII has an express exception for veteran preferences." I would hope, based on this concern alone, your recommendation would be denial or deferral, until known.
2. The proffers do include a screening for barrier crimes but do not include sex offenses or active use of illicit drugs as referenced in the Statement of Justification. Why leave out these types of crimes? Is this in the best interest of public health, safety, and general welfare?
3. Staff states that the proffers fail to address how the property will be managed and maintained as it ages and who is accountable for the long-term success of the project. Why is this not yet in place? It raises concerns that the project is premature, not organized, and detrimental to its future residents.
4. Staff alerts that the decision makers need to carefully consider if the proposal is beneficial to the community and if the proffers suggested amendments to the Zoning Ordinance meet the fairly debatable standard in relation to the public health, safety, morals, or general welfare.
5. It is being suggested by Staff that the applicant may, in essence, propose their own suggested regulations for the proposal through the proffers. If this is in fact the case, why would we leave any question unanswered in the proffers?
6. Insufficient landscaping and reduced buffers should be unacceptable, period.
7. The proposal appears to argue it will function like an assisted living facility with residents having limited use and/or ability to drive cars. Yet the design of the site indicates these residents will be independent and that no on-site dining is provided.
8. There is no guarantee the second phase will be built; the second phase is on a separate parcel from the residential units; there is no trigger for Phase 2.
9. The proffers do not align with the Concept Plan.
10. Existing roads are substandard. Why is the applicant not being asked to improve the accessibility to the project? Why is applicant not providing any sidewalks or curb and gutter along Church Street and Moser Road?

11. Staff has raised concerns about reviewing landscaping, setbacks, open space, lighting, phasing, parking refuse and affordable dwelling unit provisions. The applicant has inadequately responded. This should be unacceptable for any rezoning application. If not addressed in the Concept Plan, it should be addressed in the proffers.
12. The applicant proffered to extend the existing sidewalk in front of the church to Sullivan Street during Phase 2, however, the applicant has also indicated there is **no guarantee of Phase 2.**

There are numerous other critical concerns raised by your Staff. I encourage you to recommend denial of this application until such time all staff concerns have been adequately addressed. I know and agree the intent of the project is wonderful and much needed, but this has all the appearances of being crammed in where there is no room for it without reducing the number of buildings. If the project is truly just to benefit Veterans over the age of 65, why can't the number of buildings be reduced so as to comply with the zoning ordinance?

It seems to me that the scale is in place for profitability.

Thanks in advance for considering my comments.

Melissa Hunt
336 Stuyvesant Street
Warrenton, VA 20186

Draft

From: "Keith B. Ellis" <[redacted]>
Sent: Tue, 17 Sep 2024 15:51:28 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Hero's Village support

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

To whom it may concern,

My family and I have researched, discussed and have a good deal of knowledge regarding the proposed Hero's Village project.

We have studied the design of the low density community as well as the positive impact it can provide for members of our community.
This small community would benefit that area greatly in providing much needed affordable housing to those in need. Some of the reason we are in support is our town has a severe lack of rentals for our seniors and with the shortage, the cost for rent is unaffordable for those needing it the most. The location provides easy transportation to needed services for the community including personal services like haircuts, shopping, restaurants, grocery stores, but also doctor, dentist, specialist appointments, the hospital, and pharmacies.

With numerous discussions over time and our questions and concerns being answered directly from the sponsors of this project we fully support the Hero's Village initiative for Warrenton, VA.

Thank you,

Keith B. Ellis
Cynthia M. Ellis
Thomas M. Ellis

560 Solgrove Road
Warrenton Va, 20186.

Keith B. Ellis *Associate Director Operations & Event Services*
Student Centers - George Mason University
[redacted] studentcenters.gmu.edu

Draft

From: "Melissa Hunt" <[redacted]>
Sent: Tue, 17 Sep 2024 12:13:57 -0400
To: "'citizencomment'" <citizencomment@warrentonva.gov>
Subject: RE: Automatic reply: Hero's Bridge Village - Hero's Bridge/Warrenton UMC
Attachments: Hero's Bridge Village - Hero's Bridge/Warrenton UMC

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

Your automatic response email below states there is no guarantee my public comment will be read aloud during the meeting. However, per your website instructions shown below, emails received by the noon deadline state my comments will be read or summarized at the meeting.

I am formally requesting my email comments (attached) be read aloud during the public hearing tonight since I have met the criteria outlined on the Town of Warrenton's Public Comment instructions stated on its website.

How to Make a Public Comment

There are several ways you can comment at our meetings:

- Mail or drop off your comments to:
  Town Hall
  21 Main Street
  Warrenton, VA 20186
- Attend a Meeting in person and speak from the podium.
- Email us your comment by noon on the day of the meeting. Email comments received by this dead will be read or summarized at the meeting and attached to the official record after the meeting.
- Fill out the online Public Comment Form.

Melissa Hunt

From: citizencomment <citizencomment@warrentonva.gov>
Sent: Tuesday, September 17, 2024 11:51 AM

Draft

To: Melissa Hunt <[redacted]>
Subject: Automatic reply: Hero's Bridge Village - Hero's Bridge/Warrenton UMC

Thank you for your email, while there is no guarantee your comment will be read aloud please know it will be part of the minutes.

Town of Warrenton

Draft

From: "Becky Miller" <[redacted]>
Sent: Tue, 17 Sep 2024 18:36:43 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Cc: "Becky Miller" <[redacted]>
Subject: Support of Hero's Bridge Village

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

To Whom It May Concern:

I'm writing to voice my support for Hero's Bridge Village. As a Fauquier native, I can understand concerns about the changes in our community over the last few decades especially concerning any type of subsidized housing. But as a real estate professional and owner of a local property management company based in Warrenton, I can attest that affordable housing especially for our military veterans is nearly non-existent and certainly out of reach for many. Projects like these are not only good for the tenants, but also good for the community – they bring stability to an underserved demographic and break cycles of homelessness.

Please approve Hero's Bridge Village – it's time for our local government to step up. We will never be able to provide affordable housing options if we don't approve projects like these.

Thank you for your consideration.

Becky Miller, Realtor/Owner
Piedmont Fine Properties
[redacted]
[redacted] cell
[redacted] office
[redacted] fax
www.PiedmontFineProperty.com

Check out my reviews on Zillow
Becky Miller - Real Estate Agent in Warrenton, VA - Reviews | Zillow

Draft

From: "Stephen Clough" <scloughwarrentonva.gov>
Sent: Thu, 19 Sep 2024 13:06:36 +0000
To: "citizencomment" <citizencomment@warrentonva.gov>
Subject: FW: Greenway suggestion

Stephen Clough, CMC
Town Clerk, FOIA Officer
Town of Warrenton, VA

21 Main Street
Warrenton, VA 20186
M: [redacted]
warrentonva.gov

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without the permission of the sender. If the reader of this message is not the intended recipient, or if you have received this communication in error, please notify the sender immediately by return e-mail and delete the original message and any copies of it from your computer system.

-----Original Message-----
From: Caitlin Pierce <[redacted]>
Sent: Thursday, September 19, 2024 8:58 AM
To: staff <staff@warrentonva.gov>
Subject: Greenway suggestion

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

[Some people who received this message don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Good morning! I wanted to suggest putting a couple flashing lights or solar option on the part of the greenway that opens up to pedestrians crossing near Animal Care Center. I believe it would catch the attention of drivers a bit sooner, avoiding any accidents with vehicles or pedestrians, both human and furry.
Thank you for your time & consideration!
Cheers,
-Caitlin

Draft

From: "Don Bromley" <[redacted]>
Sent: Thu, 19 Sep 2024 15:54:51 -0400
To: """ <citizencomment@warrentonva.gov>
Cc: "" <cnevill@warrentonva.gov>," <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>," <hsutphin@warrentonva.gov>; "" <wsemple@warrentonva.gov>," <bhamby@warrentonva.gov>; """ <egagnon@warrentonva.gov>; "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>; "wsemple@warrentonva.gov" <wsemple@warrentonva.gov>; "dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Subject: Re: ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Some people who received this message don't often get email from [redacted]. Learn why this is important

Dear Planning Commission,

Thank you for taking the time to listen to both sides of this zoning change request. I liked the comments you made at the end of hearing.

I am intending to send a few further comments that I was going to bring to your attention that I was planning to say, but the comments made during the hearing change my plan somewhat. I will do this next week as I am out of town until then and don't have my laptop.

I did contact Molly Brooks as yet another idea came to me on a plan that might be acceptable to both sides. I need a little time to get my thoughts on paper in a clear presentable manner.

Best wishes
Don Bromley

On Mon, Sep 16, 2024 at 9:43 PM Don Bromley <[redacted]> wrote:

09/16/2024

To:

The Planning Commission of the Town of Warrenton

Draft

- If the Town approves a permit, with this on the record, isn't the Town open to litigation that it knowingly aided and supports a violation of the VA Fair Housing Act?
  - Would you ask Town Attorney Crim about this?
- Have you considered the following provision in the VA Fair Housing Act?
- In view of the public record on this project, including Mr. Foote's statement above, won't the Town be violating this provision if it approves all the exceptions and proffers knowing that HB explicitly intends to limit tenants to veterans as a matter of policy?

"C. It shall be an unlawful discriminatory housing practice for **any political jurisdiction** or its employees or appointed commissions to discriminate in the **application of local land use ordinances or guidelines**, or in the permitting of housing developments, (i) on the basis of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, **military status,** or disability....."

With potential residence of this community being under the management of Hero's Bridge there are multiple questions that need to be considered. The Town of Warrenton cannot knowingly condone violations to the Virginia Fair Housing Law. If Hero's Bridge can overcome the fundamental issues there are several questions that need to be considered.

- Is the Town of Warrenton considering any way of overseeing who are actually selected as the residence to make sure Hero's Bridge follows the letter of the law?
  - Statement: Allowing Hero's Bridge to run this as a veteran only community may leave the Town of Warrenton liable as knowingly being involved in any deceit.
- Would Hero's Bridge be willing to sign an affidavit releasing the Town of Warrenton from responsibility should they fail to follow this law?
  - Statement: The United Methodist Church may also need to be released of responsibility as well.
- Does Hero's Bridge have the wherewithal to fund the construction of this project?
- Can Hero's Bridge continue to fund this over the entire 75-year length of the lease period?
  - Statement: Hero's Bridge mission is aimed at improving the lives of Vietnam vets in particular. None of these vets and very possibly none of the present management of Hero's Bridge will be involved at the end of the lease period.

- If this zoning change goes through and Hero's Bridge is unable to fund this project will the new zoning ordinances stand and will other commercial builders be allowed to with the permission of the Church?
- In the event that Hero's Bridge fails in its mission and is no longer able to manage or support this low-income senior community, is there or will there be anything in writing as to who will assume the responsibility as the management of this project?
- Has the United Methodist Church agreed to assume management of the development?
- Would the Town of Warrenton assume management?

As this will be low-income housing, it is the sad truth that low-income residents don't always have the funds to pay their rents or utility bills on time.

- Has Hero's Bridge shown that they can absorb this cost of this if one or more residents fall into this unfortunate situation of being unable to pay their rent or utilities?
- Would Hero's Bridge be counting on the continuing support of the Church to absorb this cost?
    - I don't believe this would fall on the Town of Warrenton, as it should not affect any taxes due.

A major concern is that the increased traffic on the narrow roads in this community cannot support the increased traffic this project. I was shocked to see in the Warrenton United Methodist Church/Hero's Bridge Response Letter that "The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the church". An increase in traffic more than 5 times greater than present needs serious consideration as these roads cannot support that amount of traffic.

- What is the Town of Warrenton's Plan to address this additional traffic?
    - Is the widening of the roads being considered?
    - Is the addition of sidewalks being considered?
    - What will be done to address the busy crossing traffic pattern if built as planned?
        - § Are the addition of traffic controls such as Stop signs, Yield signs, One Way signs, a Traffic light or others being considered?

As I know you are aware, a majority of the residents of the surrounding neighborhood are against this project, not because of the Veteran status, which is now off the table, but because this project does not fit into this neighborhood as planned. These objections have been pointed out at several Town Council meetings, at meetings with both the United Methodist Church and Hero's bridge representatives.

We continue to ask the Planning Commission and the Council Members to do the right thing and deny this project as planned. The legal concerns mentioned at the beginning of the letter will still exist in any case.

Thank you for your time
Best regards,
Don Bromley
320 Church St.
Warrenton VA. 20186
[redacted]

https://law.lis.virginia.gov/vacodepopularnames/virginia-fair-housing-law/

On Mon, Sep 16, 2024 at 9:43 PM Don Bromley <[redacted]> wrote:

09/16/2024

To:

The Planning Commission of the Town of Warrenton

This note is in regard to the Proffer Statement Warrenton United Methodist Church/Hero's Bridge dated August 16, 2024 and references the Fauquier Now article 'Warrenton Planning Commission continues discussions, sets public hearing for Hero's Bridge project'.

I would like some clarification on the following as well as point out some vague or misleading information.

Draft

First this Proffer continually mentions the project being on +/-9.864 acres. I believe this is the entire church property. The Actual Hero's bridge project will only cover approximately 3.9 of these acres. With 22 buildings plus an additional office building shown on the property this is approximately 0.169 acres per building. About 1/6 acre per building. In early information provided the individual units were around 770 sq ft each, which is the size of a 'Tiny House'

Under Development And Use, Section 2. a. Residential. iv. This is changed from what was proposed of limited to US Military Veterans who actively served in the Vietnam, Korea and Second World wars to only veterans over 65.
The Fauquier Now article points out that limiting residents on the basis of military service could violate the Virginia Fair Housing Act, which "makes it illegal to discriminate in residential housing based on race, color, religion, national origin, sex, elderliness, familial status, disability, source of funds, sexual orientation, gender identity, or military status.
It also mentions Mr. Crim saying he would be researching whether a "preference for veteran status" breaches the Virgini Fair Housing Act. Has this been looked into? Does it meet the requirements?

For informational purposes only, as the Vietnam war ended in 1973, Korea treaty in 1953 and WWII in 1945 and assuming the soldiers were a minimum age of 17 at the end of the wars, the Veterans will be a minimum of the ages of 68 for Vietnam Vets, 88 for Korean War Vets and 96 for WWII Vets, meaning the residence for this property will likely only be Vietnam Vets if this was the case or it would need to be opened up to other veterans as well.

The Fauquier Now article points out that this raises concerns among commissioners about potential legal conflicts. Are there any?

Under the same Development And Use, Section 5. b. it states the Applicants "shall <u>not</u> be required to make the homes available first to persons residing in the Town of Warrenton or Fauquier County but shall be permitted to rent to qualifying under its rules and regulations developed for this purpose.
Questions: Wasn't this supposed to address the needs of lower income people in the Town of Warrenton or Fauquier County? This will not in this case.
Does this open the rentals to Veterans only nationwide?

Draft

Under Community Design, Section 6. Architecture, 3. Height: No new structure on the Property shall exceed 35 feet in height. The standard height of a one-story building is 15 feet. This suggests that there will be multi-level buildings on the property. The original information we were given says these will be single story residences. What is correct?

It has been noticed that the entire Water and Sewer and Stormwater Management sections has been crossed out. The flooding in this area during heavy storms has been a concern brought up by the neighborhood's residents to Hero's Bridge and the Church. Is there a plan for these?
There needs to be a solid plan in place before this project is approved as the flooding can be quite bad, especially in the area where this housing is proposed to be built.
Also I am unaware of there being sewer lines on Church Street. Ours run behind the houses.

Under Transportation Section 11. Phase II Pedestrian Improvements suggests that the sidewalk will only be on Church Street extending only to Sullivan Road. Is this adequate for something said to be a 'Walking Community"?

Regards,
Don Bromley

On Thu, Sep 12, 2024 at 1:00 PM Don Bromley <[redacted]> wrote:

> 09/12/2024
> To:
> The Planning Commission of the Town of Warrenton
>
> I know this is a long letter, however this is an important subject to our neighborhood so I hope you take the time to read it fully.
>
> This note is in response to the notice of the public hearing that will be held on Tuesday September 17, 2024 at 7:00PM – ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge. As you are aware, the owners/applicants are requesting a zoning change of the ≈9.864 acres from R-10 and RO to R-PUD for the addition of 22-two-family dwellings for a total of 44 units. This letter is misleading as the actual buildings proposed will only be on a much smaller section of this property, only 3.9 acres for these 22 dwellings.

The note is also misleading in that it says the housing is to provide affordable housing for seniors ages 65 and older. It does not state, as is my understanding and I have seen in writing, that these 65 year olds are limited to US Military Veterans who actively served in the Vietnam, Korea and Second World wars. As the Vietnam war ended in 1973, Korea treaty in 1953 and WWII in 1945 and assuming the soldiers were a minimum age of 18 at the end of the wars, the Veterans will be a minimum of the ages of 69 for Vietnam Vets, 89 for Korean War Vets and 97 for WWII Vets, meaning the residence for this property will likely only be Vietnam Vets. This is pointed out only for the awareness of The Planning Commission.

As you are aware this request requires a special exception to the existing zoning laws. The existing laws should take precedence.

The primary purpose of this letter is to make you aware that a majority of the residents of the surrounding neighborhood are against this project. This is not at all because of the Veteran status of the proposed residence of the community. Our neighborhood is composed of active military, former military, family members and descendants of both of these groups. We strongly support our soldiers and veterans and we are very aware of the need for lower-income housing in the area. The objection to this project is based on the fact that it does not fit into this neighborhood. These objections have been pointed out at several Town Council meetings, at meetings with both the United Methodist Church and Hero's bridge representatives.

There has been a petition circulated around our neighborhood. To my awareness, at last count 85 of my neighbors have signed this petition. I am hoping it has been forwarded to the Planning Commission.

A few of the concerns are that the increased traffic on the narrow roads in this community cannot support the increased traffic this project will bring. Making the entrance and exit to this community one-way does not correct these concerns. This creates other issues, as you will now have a crossing traffic pattern at the proposed entrance. With a very active Daycare on site and the other evening and other social activities, not including the Sunday and Holiday Church traffic, there is already a good amount of traffic that comes and goes into the Church property.

I live directly across from the proposed entrance to this property. I lowered the sensitivity on my doorbell camera so I would no longer get as many alerts from passing traffic. These

are still in the neighborhood of ≈100 a day, mostly in the morning and evening. With the addition of 44 more residents this traffic will of course increase.
Making the entrance/exit to the community one way will not prevent people coming to the community from driving through the narrow connecting roads in the neighborhood to get to this community.

Hero's Bridge states as these are older individuals they will not be driving very much. If the residences are not driving then the deliveries to these people's homes would have to increase. People still need to eat and will need other deliveries such as prescriptions and general household items. People will be moving in and out as well. It's a sad fact that senior citizens are not long term residents.
Hero's Bridge states that this will be a walking community. As a senior citizen of this age myself, I can tell you this neighborhood is not set up for walking, and I am a walker. It has inadequate sidewalks, limited crosswalks on the main roads in walking distance going to the areas one would want to access, and has some steep hills heading to Old Town. These would not fit the needs of most senior citizens.

As the residents will be senior citizens there will be a higher need for emergency services in the area than in most neighborhoods. Emergency vehicles will regularly be coming into the area at all times of day and night. The construction equipment required to build this community alone would put a great deal of traffic and wear and tear on the road into and around this neighborhood for many years.

Property values are also a major concern. Most of the families in this neighborhood, similar to all residential neighborhoods in the country, have a majority of their investment in their homes.
Hero's Bridge says this project will not affect property values. I know personally this is not to be true. I purchased what I intend to be my retirement home on Church St in 2022. Had I known in advance about the plans for this project I would not have purchased the property. I may have considered it as a short-term residence at perhaps $200,000 less than I paid, and would not have put the great deal of money I put into this house to bring it up from its 1960's design to more modern house standards. I believe housing values will drop dramatically.

Draft

In conclusion, there is the feeling among the neighbors I have spoken to that the Hero's Bridge project is a done deal and is just waiting for the rubber stamp of approval to get started. Although I wish this was not the case it is the feeling I have as well. I have personally contacted both the Church and Hero's Bridge offering alternative plans to this project that would be more acceptable to the neighborhood that I believe could truly limit the impact to the neighborhood. These suggestions seem to have fallen on deaf ears. I can offer these suggestions to the Planning Commission and the Council Members should they be interested. I would attach them, however that may give the faults impression we have accepted this as a forgone conclusion, which we truly hope is not the case.

We are asking the Planning Commission and the Council Members to do the right thing and deny this project. There are other areas that can be found that would be more suitable, however there is the appearance that this area is being targeted through different organizations for some reason that is not available to me, and there is a great deal of pressure to put it here.

Thank you for your time
Best regards,
Don Bromley
320 Church St.
Warrenton VA. 20186
[redacted] should you want to speak to me personally.

Draft

October 8th, 2024, Regular Town Council Meeting Minutes

Attachment 3: Signed legislation

Draft

October 8, 2024
Town Council
Regular Meeting
RES-24-10-01

A RESOULUTION TO REALLOCATE UNSPENT AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR THE PRIMARY CLARIFIER PROJECT

WHEREAS, the U.S. Congress passed and the President signed the American Rescue Plan (ARP) Act of 2021 which established the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF); and

WHEREAS, the United States Treasury distributed funding under the CSLFRF to the Commonwealth of Virginia and mandated that Non-Entitlement Unit funds be distributed according to a formula based on population; and

WHEREAS, the Town of Warrenton is considered a Non-Entitlement Unit and has received a total allocation of $10,403,180 according to the prescribed formula, which has been distributed in two equal tranches of $5,201,590 approximately 12 months apart with the second tranche received July 21, 2022; and

WHEREAS, staff has reviewed the United States Treasury guidance and provided information to Town Council during a work session on March 8, 2022 regarding projects that are eligible for the CSLFRF funding; and

WHEREAS, qualifying expenditures in the amount of $1,966,648 as detailed in the attached Exhibit A have previously been appropriated in the Fiscal Year 2023 Adopted Budget on June 16, 2022; and

WHEREAS, qualifying expenditures in the amount of $4,650,000 as detailed in the attached Exhibit B have previously been appropriated by council on September 13th, 2022; and

WHEREAS, the Town Council reviewed and committed funding for other projects as detailed in the attached Exhibit C that would be appropriated in the FY 2025 Adopted Budget in the amount of $236,083 during the March 8, 2022 work session; and

WHEREAS, qualifying expenditures in the amount of $3,269,910 as detailed in the attached Exhibit D have previously been appropriated in the Fiscal Year 2024 Adopted Budget on June 13 ,2023; and

WHEREAS, the Town Council appropriated the remaining $280,559 ARPA funds to affordable housing and accessibility initiatives focused on the best use of these funds for maximum benefit which will meet all the requirements for distribution of these funds on July 11, 2023 as detailed in the attached Exhibit E; and

WHEREAS, funds in the amount of $1,600,00 were reallocated, as detailed in Exhibit F, upon the cancellation of the Horseshow Grounds Project; and

WHEREAS, several of the projects previously identified by council have finished under budget, as detailed in Exhibit G, making funding available for the Primary Clarifier Project; and

Draft

NOW, THEREFORE, BE IT RESOLVED, that the Warrenton Town Council Hereby reallocate the unspent ARPA Funding in the amount of $830,135.74 to aid in the funding of the Primary Clarifier Project.

Votes:
Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from the meeting: Mr. James Hartman, Vice Mayor.

For Information:
Budget Manager

ATTEST: _____
Town Recorder

Draft

EXHIBIT A - Appropriated in FY23 Budget		
Project	**Estimated Cost**	**Description**
Financial Coordinator Salary and Benefits	$101,093	1 year in budget, remaining time committed
Assistant Director Salary and Benefits	$154,397	Covers 1 year period - salary and benefits
Junior Engineer Salary and Benefits	$131,947	Covers 1 year period - salary and benefits
Project Coordinator Salary and Benefits	$119,406	Covers 1 year period - salary and benefits
Compensation Study	$50,000	Classification and compensation study
Professional Services	$42,350	Economic Development
Fuel System	$50,000	IT
Waterloo Speed/Safety Improvements (T-23-002)	$70,200	FY23 cost only
Leaf Machine (G-23-003)	$85,000	
Salt Spreaders (G-23-004)	$68,000	
HVAC Replacement (G-23-005)	$55,000	FY23 cost only
Police Vehicles (P-23-001)	$98,262	FY23 cost only
Fitness and Studio Floor Replacement	$60,000	
Fitness Equipment Replacement	$25,000	
Traffic Light Updates (T-23-008)	$28,800	FY23 cost only
Timber Fence Trailway	$50,889	Timber Fence Trail Segment 2 (Town cost-share)
Refuse Trucks	$626,306	Two new refuse trucks
ADA Improvements (R-23-001)	$150,000	ADA improvements to Town park facilities; Remaining project balance committed for future years
	$1,966,648	**Total Appropriated in FY23 Budget**

EXHIBIT B - Appropriated September 13, 2022		
Project	**Estimated Cost**	**Description**
Water and Sewer Projects	$4,500,000	Per Davenport analysis of sewer rate study
ADA Compliance	$150,000	
	$4,650,000	**Total Appropriated September 13, 2022**

EXHIBIT C - Commitmented & Later Adopted in FY25 Budget		
Project	**Estimated Cost**	**Description**
ADA Improvements (R-23-001)	$150,000	ADA improvements to Town park facilities
Financial Coordinator Salary and Benefits	$86,083	Funding for support through 12/31/2024
	$236,083	**Total Committed**

Draft

EXHIBIT D - Appropriated in FY24 Budget		
Project	**Estimated Cost**	**Description**
Financial Coordinator Salary and Benefits	$124,824	1 year in budget, remaining time committed
Assistant Directors Salary and Benefits	$17,044	Remainder of 1 year period
Project Coordinator Salary and Benefits	$28,042	Remainder of 1 year period
Comprehensive Zoning Update	$200,000	
Deed Provision	$1,000,000	For payment of deed provision at WWTP
Horseshow grounds	$1,600,000	For purchase of horseshow ground property
ADA Improvements (R-23-001)	$300,000	ADA improvements to Town park facilities; Remaining project balance committed for future years
	$3,269,910	**Total Appropriated in FY24 Budget**

EXHIBIT E - Appropriated July 11, 2023		
Project	**Estimated Cost**	**Description**
Affordable Housing	$280,539	Affordable Housing and Accessibility Initiatives
	$280,539	

EXHIBIT F - Reallocated February 13, 2024		
WWTP Capital Payment	$500,000	
Water and Sewer Projects	$900,000	
Infrastructure Projects	$200,000	
Horseshow Grounds	($1,600,000)	
	-	

EXHIBIT G - Reallocated October 8, 2024		
Meeting & Polling Location ADA Compliance	($112,638)	
Playground ADA Improvements	($214,825)	
Assistant Director Salary and Benefits	($46,310)	
Compensation Study	($6,500)	
Comprehensive Zoning Update	($1,550)	
Deed Provision	$5,076	
Financial Coordinator Salary and Benefits	($96,753)	
Fitness and Studio Floor Replacement	($1,410)	
Fitness Equipment Replacement	($480)	
Fuel System	($14,466)	
HVAC Replacement	($6,668)	
Junior Engineer Salary and Benefits	($131,947)	
Leaf Machine	($10,572)	
Police Vehicles	($133)	
Professional Services - Economic Development	($42,350)	
Project Coordinator Salary and Benefits	($55,109)	
Recycling Trucks	$1,234	
Salt Spreaders	($2,119)	
Timber Fence Trailway	($50,889)	
Traffic Light Updates	($1,800)	
Waterloo Speed/Safety Improvements	($39,927)	
Primary Clarifier	$830,136	
	-	

$10,403,180	**Appropriated**
$10,403,180	**Total ARPA Funds Received**
-	**Available Balance**

DRAFT

TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, November 12, 2024 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON NOVEMBER 12th, 2024, AT 9:00 AM

Work Session

PRESENT — Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

ABSENT — Mr. David McGuire

Regular Meeting

PRESENT — Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

ABSENT

I. WORKSESSION - 9:00 AM

1. Planning Commission Update From the October 15, 2024 Regular Meeting

Ms. Denise Harris gave an overview of the October 2024 Planning Commission meeting. The Planning Commission continued its public hearing on October 15, 2024, regarding Zoning Map Amendment 2023-01 for Warrenton United Methodist Church and Hero's Bridge. This application sought to rezone R10 and RO parcels to a Residential Planned Unit Development (RPUD). Eleven members of the public spoke, and the Planning Commission voted three to one (with Commissioner Ainsworth against and Commissioner Lasher absent) to recommend denial to the Town Council. This application is the subject of a Town Council work session later this morning. Draft Planning Commission meeting minutes are in the Town Council packet and will be approved by the Planning Commission this month. The meeting video is available on the Town website, and all rezoning materials are found under the work session item on the Town Council agenda. No questions were asked regarding this update at this time.

2. Community Development Department Overview

Mr. Frank Cassidy, Town Manager, presented the overview in place of Mr. Rob Walton, who was unwell. The Community Development Department is responsible for long-term planning, zoning, building

(permitting, plan review, inspections, enforcement), and property maintenance and zoning enforcement. Mr. Cassidy noted the department is fully staffed with Mr. Hunter Diggs serving as the Building Official, Fire Official, and Property Maintenance Official. The department is actively working with the County and Fire Marshal on both active emergency scenes (like the recent fire on Waterloo Street) and proactive inspections. They have conducted over ninety property maintenance inspections in the last year, making progress on challenging, visible properties. Legal costs are increasing due to appeals and court processes, but carryover funds will offset these costs. Community Development also focuses on education and outreach to help the public understand complex processes. The department has streamlined permitting and inspections.

Mr. Semple mentioned OpenGov and the ability to review application materials.

Mr. Cassidy confirmed a link has been added to the Community Development webpage for OpenGov, allowing access to information on current pre-applications and existing applications.

Mayor Nevill asked about the fire on Waterloo Street.

Mr. Cassidy stated the investigation is ongoing, appearing accidental, and they are awaiting test results. The property was a single-family residence converted into apartments without proper permits on record. One person was injured while alerting others. The property appears to be a total loss, and has been posted as unsafe. Mr. Cassidy emphasized the department's proactive mission to address life safety issues in multi-family residences.

Mr. Mooney asked about the actual revenue for permits and fees dropping.

Mr. Cassidy explained it's a product of the current economy, with more smaller permits (for remodels, change-outs) and fewer larger development permits, which generate more revenue. Mr. Mooney asked about the "lease of equipment" expenditure, confirming it was for the printer. He also asked about "professional services" for expenditure and planning.

Mr. Cassidy stated this line item covers third-party contractors, engineers, and attorney fees for court documentations, appeals, and complicated commercial site inspections.

Mr. Mooney asked about the "Planning District Contribution" line item. Ms. Harris explained it's the yearly membership fee for the Town's participation in Planning District 9.

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3. Planning Commission Appointments

Ms. Harris explained that three Commissioner's terms are expiring on December 31st. All three members, Chair Ryan Stewart, James Lawrence, and Steve Ainsworth, have expressed interest in continuing to serve. Their letters were included in the packet. Mayor Nevill asked if there was a desire to replace any members. No one spoke, and the re-appointment of the three members was added to the consent agenda.

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4. Code of Conduct Committee Update

Mr. Mooney provided an update. He stated that they have received feedback and are working with members to update the document, expecting it to be finalized in the next couple of weeks. They are also seeking input from new council members.

Mayor Nevill expressed a desire for the document to be adopted in December 2024.

Mr. Semple suggested adopting the document in January 2025 to allow new council members to review it and provide input.

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5. **ORDINANCE 2024-16 – Application for vacation of an existing Utility Easement pursuant to Virginia Code Section 15.2-2272 (2). The request is to vacate an existing utility easement on site to allow a new, corrected utility easement associated with easement plat application number ESMT-24-4 to be granted on the property. The lot is approximately 22,738.32 square feet, and zoned Commercial (C). The Comprehensive Plan identifies the property as Broadview Commercial District on the Future Land Use Plan. The owner of the property is PM PLUS LLC. GPIN 6984-16-2823-000.**

Ms. Amber Heflin, Zoning Official, gave an overview and a power point presentation. The request is to vacate an existing utility easement on the Valvoline Instant Oil Change property (approximately 22,738.32 square feet, zoned Commercial, identified as Broadview Commercial District in the Comprehensive Plan) and establish a new, corrected utility easement. This is due to the incorrect placement of a water meter during construction, requiring its relocation. The site plan was approved in 2023, the building permit issued in September 2023, and the certificate of occupancy in April 2024. The existing easement (red on the diagram) did not include the installed water meter, while the new proposed easement (green) will. A similar request for a utility easement vacation was approved in 2022 for the CrossFit building. The easement must be corrected before the final approval of the property's as-built plan and bond release request.

Mr. Mooney confirmed the purpose is to correct an incorrectly placed utility.

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6. **RolloutWarrenton! Transition**

Mr. Cassidy gave an overview of the transition from the "Rollout Warrenton!" program to the existing Town Code's "sidewalk cafe" provisions. He explained that the "Rollout Warrenton!" program was developed during COVID-19 to facilitate outdoor seating when inside seating was restricted, leading to the creation of parklets.

Mr. Cassidy noted concerns about the parklets becoming a separate issue and challenges with ADA accessibility, fire safety, chairs, tables, and maintenance under an annual contract. He believes the existing "sidewalk cafe" provisions will allow for better enforcement, year-round outdoor seating, and eliminate the need for new ordinances. The "Rollout Warrenton!" program and parklets would cease at the end of the week. The sidewalk cafe program would provide a consistent method for Main Street businesses to set up outdoor tables quickly based on weather. The current improvements on First Street are intended to create a public gathering space, and

Mr. Cassidy recommended removing the gate and fencing from Denim and Pearls' outdoor seating area to make it public space again, enforcing this through sidewalk cafe provisions. He also suggested expanding sidewalks between Culpeper and First Street to create a "pinch point" for traffic calming and address ADA accessibility.

Mayor Nevill noted that traffic speeds need to slow down along Main Street for a pedestrian-friendly environment.

Mr. Semple had long-term questions about how to plan if the use of a space changes from a restaurant that needs seating to a different type of vendor.

Mr. Cassidy noted that Strong Towns advocates for "sittable" environments where people enjoy public spaces for gathering, regardless of the business type, citing Great Harvest as an example.

Mr. Semple added that he liked the idea of creating seating on Main Street and suggested some restaurants could heat outdoor areas for year-round use.

Ms. Sutphin appreciated staff's efforts and observed other restaurants taking advantage of outdoor seating.

Mr. Semple inquired if widening the sidewalk altogether to create a "boulevard idea" would be advisable.

Mr. Cassidy replied that would affect parking more holistically but noted the Leesburg sidewalk cafe ordinance provides a consistent model to prevent one business from having an unfair advantage over another due to location. He also mentioned considering seasons (e.g., snow in winter, holiday parades) when planning for permanent outdoor structures.

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7. Oliver City Flooding

Mr. Semple explained that a resident of Oliver City experienced flooding, and highlighted that the underlying zoning for the 136-home Warrenton Crossing subdivision was approved in the 1980s. He explained that during construction, a catch basin was installed near Oliver City, which is a low-lying area.

Mr. Semple expressed concern about the addition of impervious surface and the design of the stormwater management (SWM) basins, and the future liability if an SWM basin fails. He noted that a temporary third basin overflowed from a 10-inch pipe into a 6-inch pipe, submerging the neighbor's yard. The staff responded capably, but Mr. Semple remains concerned about the adequacy of stormwater management once the development is built out.

Mr. Cassidy explained that the problem occurred because the site is under active construction, and the temporary SWM measures failed during a heavy rainfall event (5 inches in a couple of hours) because the construction was not ready to accept that amount of rain. He noted that the engineers design to mitigate these issues, and the Town's inspection process works closely with DEQ.

Ms. Kerry Wharton, SWM Administrator, stated that the site plan was approved in 2014.

Draft

Ms. Heather Jenkins, Zoning Administrator, noted an amendment was approved in 2020, and the SWM plan was approved to 2014 state requirements, which control 2-year and 10-year storm events.

Mr. Hamby asked about the staff report's confusion regarding SWM capacity.

Mr. Cassidy clarified that temporary measures failed due to the site being incomplete.

Ms. Wharton noted the developer has a pump on-site to help with SWM issues.

Mr. Crim explained that the liability issue is complicated, citing common law and case law that suggests liability if a known situation is not remedied (e.g., VDOT case where unmaintained stream remediation led to flooding). He stated that temporary stormwater controls are designed for a 2-year flood, based on historical data which may no longer be accurate given changing weather patterns.

Mr. Semple expressed concern that future SWM may be inadequate once the project is built out and that remediation could be extensive and expensive. He also raised concerns about the massive change to topography and the existing water flow in Oliver City.

Mr. Hamby noted that low-lying areas in town frequently flood during heavy rain.

Ms. Wharton stated the structure did what it was supposed to do for a 25-year storm, but it was an extreme event. She confirmed the overflow went into the existing channel and then to the backyard, and that stabilization efforts are ongoing to prevent sedimentation runoff.

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8. Arrington Project: Voluntary Settlement Agreement Update

Mr. Crim gave an update on the Arrington Voluntary Settlement Agreement (VSA). He stated that the paperwork is ready and a public hearing is scheduled for December 2024. The Commission on Local Government (COLG) issued its report, which did not recommend any changes to the VSA language. A draft ordinance and legal advertisement for the VSA were received for staff review, and it is expected to be on the December agenda for potential Council action

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9. Agenda Review

Mr. Cassidy gave an overview of the agenda.

Mr. Semple asked if the applicant for 71 S. Fifth Street was in attendance. Mr. Cassidy answered no.

Mr. Semple wanted to ensure the conditions for this application were in place.

Draft

Ms. Jenkins stated that three conditions were added to the SUP since the last work session: prohibiting semi-trailer trucks for delivery (requiring mid-sized trailers or rollbacks) and prohibiting stopping or parking on Fifth Street for unloading; requiring ARB approval for any new lighting, following zoning requirements (fully shielded, cut off at close of business or reduced intensity by 50% after 11 PM); and requiring ARB approval for any new signage.

Mr. Semple asked about the maximum number of vehicles allowed on-site for the car dealership; Ms. Jenkins stated a maximum of twelve vehicles are requested.

Mr. Semple asked if the site was previously used as an auto dealership; Ms. Jenkins answered yes.

Mr. Gagnon asked if there were prior complaints on the use; Ms. Jenkins answered there were no complaints in the town records.

Ms. Brooke Campbell provided an introduction to the FY 2024-2025 carryover budget. She explained the timeline: department requests in November 2023, proposed budget delivered April 1, 2024, adopted in June, and FY25 began July 1. Carryover requests are submitted after FY24 invoices are processed, and the Town Manager reviews and approves them. Carryover rolls into the fund balance calculation for the annual audit report. Funding for ongoing projects spanning fiscal years is reappropriated to ensure uninterrupted operations. Since carryover exceeds 1% of the total adopted budget, a public hearing is required. Carryover is categorized into capital, grants, and operating. Capital (largest category) includes water/sewer projects (primary clarifier, clear well), General Fund (Broadview Avenue improvements), and Stormwater Fund (stream restoration, public workshop and yard project, pond C improvements for MS4 permit). Grants include ARPA funding (primary clarifier, Wharf walkway, ADA parks improvements, zoning ordinance update, Haiti Street sidewalks, town parking lot survey), Septic Remediation grant (program started Nov 1), and VDOT street/highway maintenance funds. Operating carryover covers ongoing projects not capital related, spanning many departments (e.g., Planning professional services, insurance funds for cemetery/Wharf damages, Public Works sidewalk/curb/gutter work, FY24 audit, speed alert sign, lamp posts, meter registers, HVAC repairs, wastewater lab shipping costs, tank maintenance).

Mr. Semple asked about reliance on carryovers for cash and reserves. Ms. Miller confirmed they are absolutely relied upon and roll into the unassigned fund balance. Mayor Nevill asked about the Timberfence Trail project status. Mr. Cassidy explained that VDOT is requesting an additional $200,000 to $400,000 in funds, which the Town currently does not have. He added that the project may not be financially feasible to continue if funds cannot be secured from VDOT or the County.

Mr. Hamby asked about the cost increases, and Mr. Cassidy explained they were due to inflation. The original Town share was $58,000. Around $100,000 has been spent on legal and engineering fees, with no shovels in the ground yet. The additional VDOT request is for construction costs alike asphalt, gravel and tree removal.

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10. Closed Session

As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to: probable litigation involving: regarding a claim for property damage due to a sewer backup; and

As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to legal problems that may arise from discussing and drafting conditions for a Special Use Permit.

Vice Mayor Hartman moved to convene a closed session as permitted by Virginia Code § 2.2-3711 (A)(7) & § 2.2-3711 (A)(8).

Councilmember Mooney Seconded. There was no discussion on the motion.

Ayes:	**Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney**
Nays:	
Abstention:	
Absent:	**Mr. David McGuire**

Upon reconvening at from the closed session, Vice Mayor Hartman moved to adopt the following Certification of Closed meeting:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Councilmember Mooney seconded. There was no discussion on the motion.

The vote for the motion was unanimous, as follows:

Ayes:	**Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney**
Nays:	
Abstention:	
Absent:	**Mr. David McGuire**

11. **ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge – The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to ages 65 and older. The application includes a Small Office/Community Center. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential. The GPINS are 6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930.**

Ms. Denise Harris gave a high-level overview of the project. She explained that the application is for a rezoning of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) at 341 Church Street. The proposal is to develop 22 two-family residential dwelling units (total 44 units) to provide affordable senior housing to ages 65 and older, including a small office/community center. The Future Land Use Map designates the parcels as Medium Density Residential.

Ms. Harris explained that the Planning Commission began its review in July and August with two work sessions, involving subject matter experts. A public hearing was held in September, where the applicant indicated updates would be made to remove the "veterans preference" and "phase two," necessitating a second public hearing in October. The Planning Commission stated that the application did not meet the legislative intent of PUD, lacked compatible infill for density/lot size/placement, had inadequately addressed physical improvements (creating adverse impacts by not meeting PUD minimums), and contained vague/unenforceable voluntary proffer language, leading to a recommendation of denial. On November 1st, the applicant resubmitted the application with several modifications that the Planning Commission did not vote on. Updated voluntary proffers include adding language for veterans preference, reciprocal parking, fitness trail facilities, concurrent construction of sidewalks with residential dwellings, and striking language that would have excluded preference for Warrenton/Fauquier County residents. The concept development plan was revised from the Planning Commission's version to clean up site tabulations and add an internal sidewalk for emergency access vehicles at Mosier Road. She explained that the next steps are this Town Council work session and then scheduling a public hearing for December 10, 2024, unless the applicant defers. She noted that the decision deadline is December 20, 2024.

Mr. Semple asked what has changed since the Planning Commission's decision.

Ms. Harris highlighted several changes: adding back the veteran's preference into Proffer 2.a.4, adding language for reciprocal parking in 2.d, striking language that removed preference for Warrenton/Fauquier County residents from Proffer 4.e, adding language on dwelling unit materials in 5.c, adding Proffer 9 regarding fitness trail facilities, and adding Proffer 11 stating transportation improvements (sidewalks) shall be concurrent with residential unit construction.

Mr. Mooney asked if the Veteran's preference is acceptable.

Mr. Crim noted the proffers are voluntary and this topic has been debated. He felt it does not violate Fair Housing Act regulations.

Mr. Hamby stated that he reviewed Planning Commission meetings and asked how Over 55 Communities are permitted to operate; Mr. Crim explained the Fair Housing Act specifically permits these restrictions.

Ms. Jessica Pfeiffer with Walsh Collucci, representing the applicant and owner, introduced the project. She was joined by Molly Brooks (Hero's Bridge), Sarah Newton (Warrenton United Methodist Church), Jeremy Carls (civil engineer), and John Foote.

Ms. Molly Brooks presented on project need and community support. She emphasized that while it's a veterans project, veterans are victims of a larger affordable housing crisis, with a severe shortage of rentals and lack of housing diversity for people undergoing life changes. She cited studies (Regional Commission housing study, Town RFI, media) highlighting the need for affordable, accessible, single-story senior housing, particularly apartments. The Regional Commission study noted 90% single-family homes and only 3% duplex/quad types. She warned that if housing stock isn't increased, warming shelters will be needed. She stated the Town's RFI for ARPA Funds called for innovative, partnership-based projects, recognizing income-challenged seniors, disabled, and veterans, and seeking meaningful contributions to housing stock, not just 1-2 unit renovations. She noted that almost every zoning ordinance requires matching surrounding neighborhoods, which conflicts with diversification. She explained that current rental vacancy is zero across all seven communities in Warrenton, hindering healthy rotation in housing. She spoke of critical life changes (marriage, babies, aging, divorce) requiring housing adjustments, leading citizens to beg for rentals on Facebook and unpermitted basement rooms. She stated 30 veterans (age 67-93, 83% non-drivers, 73% from Planning District 9, 67% low income, 57% socially isolated, 53% living in substandard conditions, some having died waiting) are on a waitlist. She reported petition support with over 1300 signatures in favor versus 85 against. Zero preservation groups have opposed the project, which she attributes to it being a small, gentle infill project in a service district, addressing a critical need. The project also has cross-sectional financial support from federal, state, county, and two private foundations, without asking the town for money.

Ms. Pfeiffer continued with background information on zoning and land use. The property is ~9.864 acres. The existing zoning is RO (Residential Office, orange) and R10 (Residential, yellow). Proposed zoning is RPUD (Residential Planned Unit Development). The existing church (permitted by SUP in 1989 with no restrictions) is located within areas designated Public/Semi-Public Intensive and Medium Density Residential in the Comprehensive Plan. A significant portion of the property has no existing vegetation, which the proposal will increase.

They explained that the proposal is for 44 residential units (22 two-family units), all ADA accessible, for rent, one story, and with one occupant each. Proposed residential density is 4.46 dwelling units per acre (calculated on 9.864 acres). A ~6,000 sq ft small office/community building will include a movie viewing area, senior technology library, arts/crafts, music area, pet therapy, and fitness room, to be constructed concurrently with units. It is anticipated to have four staff members. Outdoor amenities include walking trails with senior-appropriate fitness trail signage, a wildlife sanctuary, gazebos, and a flagstone garden for meditation. These on-site amenities and trails can be used by nearby residents. Access will be from Church Street at two

existing locations; Moser Road access was removed for emergency access only (mountable curb), in response to community input. The project is an extremely low traffic generating use: 44 senior homes generate 37 vehicles/day and 4 vehicles/hour. The community center generates 31 vehicles/day and 8 vehicles/hour, totaling 68 vehicles/day and 12 vehicles/hour, based on ITE manual.

For parking, the existing church is over-parked by ~88 spaces. The concept plan uses the parking requirement for homes for the elderly (44 spaces for units, providing 47) and adds parking for the community center (12 required, providing 12). Regardless of calculation method, the property meets required parking, and Proffer 2.d addresses reciprocal agreements for shared parking. The landscape plan provides significant screening: minimum 20-foot wide buffer with double row of large evergreen trees along Church and Mosier Roads (~150 large evergreen trees total), and a minimum 15-foot buffer with a row of large evergreen trees, a fence, and shrubs adjacent to residential homes. Over 65% open space (6.4 acres) is proposed, significantly more than the 25% required (2.466 acres). The proposal includes on-site pedestrian connectivity (proposed sidewalks on Church Street and internal trails in purple, with existing sidewalks in yellow), including a "missing link" of sidewalk between the church and Sullivan Street, significantly improving safety and connectivity to Broadview Avenue. Proffered elevations commit to building materials compatible with surrounding architecture. Fitness trail facilities were detailed, consistent with Proffer 9.

Ms. Pfeiffer addressed Planning Commission Resolution items. Item 1 noted infill compatibility, pedestrian-friendly streets, and consistency with neighboring properties. "Infill" appears 18 times in the Comp Plan without a definition, but references emphasize preserving existing neighborhoods, promoting context-sensitive infill, and respecting existing character. Item 2 and 3 regarding infill, lot size, and placement were similar. The project proposes a single large lot as units are rentals. Home sizes (duplexes at 1,152 sq ft) are comparable to surrounding homes (average 1,703 sq ft, ranging from 936-2,515 sq ft). Item 4 suggested inadequate physical feature addressing; Ms. Pfeiffer stated the project commits to sidewalks (including missing link), and outdoor lighting designed to avoid spillover, following zoning ordinance requirements (fully shielded, cut off/reduced after 11 PM) and requiring ARB approval for new lighting. Item 5 concerned active recreation facilities; the project provides walking trails with fitness stations, a wildlife sanctuary, gazebos, and a meditation garden, with significant open space (65% vs 25% required). Item 6 concerned shuttle bus service; Proffer 14 requires applicant to provide shuttle bus or similar transportation, and Hero's Bridge has a 12-seat passenger van. The "succession planning" comment (Item 7) referred to concerns if Hero's Bridge were to cease operation. Proffer 15 states the church and/or future owner would be responsible for continued maintenance, requiring a proffer amendment for any different use. Water usage is anticipated to be extremely low (5,460 gallons/day vs. 12,660 gallons/day capacity), accounting for existing church usage.

Ms. Pfeiffer detailed community outreach, noting many meetings were held prior to submission (December 2023) at the church and Hero's Bridge office. Changes were made in response to feedback: decreasing density from 56 to 44 units (before ZMA submission), removing additional units where the multipurpose recreational facility was planned, removing the multipurpose recreational facility itself, and adding three parcels between the church and Sullivan Street to reduce density further. Sidewalks along Church Street and internal to the project were committed, including the missing link. Access off Moser Road was made emergency-only with

mountable curb in response to concerns about additional vehicle trips. Proffered commitments include residents being 65+ years old, US military veterans, single occupancy, and screening for barrier crimes. Stormwater management has been addressed with pre- and post-development drainage maps, and initial designs from the civil engineer.

The timeline of the ZMA application was presented, showing pre-application meetings, submission, official acceptance for review, and multiple Planning Commission work sessions where feedback led to changes and resubmissions, leading to the current work session and a proposed hearing on December 10, 2024. In conclusion, Ms. Pfeiffer stated the proposal meets the need for housing, is consistent with the church, improves the property (pedestrian connectivity, vegetation, drainage, stormwater), and has minimal transportation impacts.

Mr. John Foote (Walsh Collucci) addressed the Fair Housing Act and veteran restriction, as requested. He explained that violations would likely be "complaint originated" and that Hero's Bridge would not intentionally allow non-veterans to reside there. He stated that his initial opinion on veteran preference was challenged by Mr. Crim, leading him to research disparate impact. He cited *Personnel Administrator of Massachusetts v. Feeney*, a 1979 Supreme Court case, which upheld a veteran's preference in state employment despite disparate impact on non-veteran women, as it was not intended to discriminate. He stated that Virginia's Fair Housing Act's "veteran status" clause protects veterans, not discriminates. The current proffer involves a restrictive covenant on the property, enforceable by the church and/or the Town, to limit residency to veterans. Mr. Foote views this as a constitutional compromise.

Mr. Semple noted Ms. Brooks' earlier statement indicating the project would be available to seniors 65 and older and veterans "underneath it," implying an option beyond veterans-only. He questioned how the covenant resolves this, given conflicting legal opinions, and its impact on public perception.

Mr. Foote stated he did not change his opinion and that his research on disparate impact confirmed a veteran's preference is constitutional and lawful. He offered to put it back in as "veterans only."

Ms. Sutphin asked about other by-right options for the property; Ms. Pfeiffer explained R-10 zoning permits group homes. A rough layout of 12 group homes was shown, potentially housing 96 residents (8 or less per home by right), requiring a public street. This would be by-right development, not requiring SUP or Council approval.

Ms. Sutphin asked if Hero's Bridge receives government assistance.

Ms. Brooks confirmed significant contributions from County ($250k, $75k dispersed), State ($250k dispersed), Federal ($1M committed via community project funds, expected Jan access), and private foundations ($2.2M softly committed).

Mr. Gagnon asked about estimated construction costs. Ms. Brooks answered approximately $13.7 million.

Mr. Semple asked about density and Floor Area Ratio (FAR). Ms. Pfeiffer explained density is calculated on 9.864 acres, including green space, as it's a joint application with the church. She offered to have density calculated for only the 3.9-acre portion where units are located, though

she considers the entire 9.864 acres appropriate given the "substantial conformance" proffer. Mr. Jeremy Karls (civil engineer) explained that visually, the proposed development (11 groupings of 2,000-2,500 sq ft homes) could look similar to a by-right cluster development of 12 larger homes (3,000-4,000 sq ft), which would also have open space but with smaller lots and setbacks.

Mr. Gagnon questioned the density calculation compared to the surrounding community. Ms. Pfeiffer spoke of a townhouse proposal off Church Street discussed at Planning Commission.

Mr. Gagnon asked about the veteran vs. non-veteran status of residents if the property is sold. Mr. Foote explained the proffers run with the land and restrict residents, requiring Council change to alter them.

Mayor Nevill asked Mr. Crim the advantage/disadvantage of the Town signing the veteran covenant. Mr. Crim responded the disadvantage would be adding a layer of enforcement for Town staff.

Mr. Semple asked about the rezoning to a PUD versus Ordinance regulations.

Mr. Foote explained the legal background. Ms. Pfeiffer clarified that no existing zoning district would permit the mix of uses, necessitating a PUD.

Mr. Semple argued that this approach of modifying zoning via proffer instead of ordinance amendment would set a precedent, making underlying regulations irrelevant and bypassing safeguards.

Ms. Pfeiffer stated that the ability to modify zoning via proffer has been decided by a court case and that the Council still retains the decision-making authority, evaluating the proposal (including reduction from 25 to 9 acres, open space, sidewalks, community outreach) and deciding if the change is appropriate.

Mr. Foote confirmed that underlying regulations remain law if an application or proffer is rejected. He explained the Supreme Court's stance that every property is different, allowing for flexible solutions.

With no further business, this meeting was adjourned at 1:03 PM on Tuesday, November 12th, 2024.

II. REGULAR MEETING - 6:30 PM

Mayor Nevill called the Town Council meeting to order at 6:30 PM. All members were present, a quorum existed, and business could be conducted.

INVOCATION.

Pastor John Kuvakas from Warrenton Bible Fellowship led the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Nevill Led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITIONS.

Warrenton Volunteer Fire Department- Recognition of 100 Years of Service

Ms. Sutphin presented a Proclamation to Warrenton Volunteer Fire Department recognizing 100 years of service. Mayor Nevill read the Proclamation. Ms. Sutphin spoke (inaudible).

Warrenton Arts Commission: Horner Street Mural Contest Finalists

Mr. Cassidy introduced Ms. Jessica Beach to recognize the contest winners. 26 finalists were chosen out of approximately 700 entries.

Mr. Cassidy then presented "Excellence in Action" slideshow. New hires included Pooja Varani (fitness instructor, Parks & Rec), Anthony McGurk (new hire, lifeguard), and Jonathan Poff (new lifeguard). Luke Taylor was recognized as a new facilities maintenance worker. Promotions included Beth Chamberlain to Fitness Supervisor for Parks & Rec. Several certifications were recognized in Fleet and Facilities: Johnny Powers for Hazardous Materials Fundamentals of Emergency Management (part of realigning emergency management efforts with Johnny Switzer), Richard Benavides for American Public Works Association (APWA) Public Fleet Management Program and Bio-Based Certified Facilities and Property Professional, Michael Fisher for APWA Mid-Atlantic Public Works Institute and Bio-Based Certified Facilities and Property Professional, and Michael Fisher again for Traffic Incident Management training. Johnny Switzer was recognized as an instructor for the APWA Mid-Atlantic Public Works Academy and as a panelist for the National Association of Fleet Administrators on small budgets and green roads. Staff also attended a NASA crash test and learn event, aligning with traffic safety and Vision Zero efforts. Finally, kudos were given to all staff, especially Parks & Rec, for successful Halloween events.

CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: November 12th, 2024		
Name	**Address**	**Topic**
Nancy Evert	249 Sapphire Ct.	Hero's Bridge

Draft

Terri Church	306 Stuyvesant St.	Hero's Bridge
Charles Robinson	7812 Trafalgar Pl.	Hero's Bridge
Darine Barbour	717 Acorn Ct.	Thank you
Don Patrick	165 Topaz Ct.	Hero's Bridge

Nancy Evert (249 Sapphire Ct.) questioned why trash pickup was not done on Veterans Day. She expressed excitement about the Hero's Bridge project, stating its positive impact on veterans who need housing. She praised the project's design (single-story, beautiful landscaping), minimal traffic impact (many residents don't drive, less parking needed than typical multifamily), and efficient volunteer visits. She urged the Council to help it succeed.

Terri Church (306 Stuyvesant St.) spoke as a Ward 5 resident, Lutheran pastor, and neighbor, encouraging full support for Hero's Bridge Village and Warrenton United Methodist Church. She shared a personal experience working at a homeless shelter, living among and learning from residents, many of whom were veterans. She highlighted community needs: two-year waiting lists for senior supportive housing, lack of affordable rentals for veterans, and need for public transportation. She encouraged the Council to approve the project in her "backyard" to keep Warrenton strong.

Charles Robinson (7812 Trafalgar Pl.) identified himself as a 29-year resident of Fauquier County and a veteran. He spoke about the military principle of "not leaving our own behind" and how Hero's Bridge aims to help veterans who struggled after service. He noted that the residents are older (65-90 years old) and unlikely to cause damage. As Chairman of the Fauquier Rappahannock Habitat for Humanity Board, he emphasized the importance of housing and implored the Council to "do the right thing" and override the Planning Commission's denial. He referenced the Book of Matthew, stating he believes Jesus would support Hero's Bridge.

Darine Barbour (717 Acorn Ct.) thanked Ms. Sutphin, Mr. Hamby, and Mr. Hartman for their service and dedication to the Town. She challenged returning council members to be positive examples, honest, fair, patient, accountable, and aware of the people they serve. She urged them to put personal agendas aside and make decisions based on merit and governing laws. She emphasized that Warrenton is a great town and urged respectful disagreement among the governing body.

Don Patrick (165 Topaz Ct., Ward 2) expressed strong support for Hero's Bridge with United Methodist Church, noting the scarcity of land for affordable housing. He highlighted the partnership of a church with strong community outreach and Hero's Bridge with a strong track record supporting veterans as an opportunity to help veterans and advance affordable housing. He found the project renderings attractive and workable. He stated that while change is hard and doesn't please everyone, it is inevitable, and he believes Hero's Bridge will be a good change.

APPROVAL OF THE AGENDA.

Mayor Nevill indicate that an email from staff indicated a typo in the legal advertisement for tonight's public hearings. With unanimous consent, the Town Code Amendment to revise sections 4-1, 4-33, 4-61, and 4-62 Property Maintenance was moved to the December Town Council meeting for proper advertisement

Vice Mayor Hartman moved to approve the agenda, as amended. Councilman Mooney seconded.

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent:

The modified agenda was approved unanimously.

PUBLIC HEARINGS.

ORDINANCE 2024-16 – Application for vacation of an existing Utility Easement pursuant to Virginia Code Section 15.2-2272 (2). The request is to vacate an existing utility easement on site to allow a new, corrected utility easement associated with easement plat application number ESMT-24-4 to be granted on the property. The lot is approximately 22,738.32 square feet, and zoned Commercial (C). The Comprehensive Plan identifies the property as Broadview Commercial District on the Future Land Use Plan. The owner of the property is PM PLUS LLC. GPIN 6984-16-2823-000.

Ms. Amber Heflin provided an overview, explaining the need to correct the easement to encompass an existing water meter installed during construction (site plan approved 2023, CO in April 2024). The correction is needed before the as-built plan is submitted and the bond release requested. Council had no questions for Ms. Heflin.

At 7:07pm, the public hearing was opened. The public hearing was closed at 7:07pm.

Public Hearing: ORDINANCE 2024-16		
Name	**Address**	**Organization or Individual**

Councilman Mooney moved to approve Ordinance 2024-16, seconded by Councilman Hamby

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent:

Ordinance 2024-16 was approved unanimously.

A Town Code Amendment to Revise Sections 4-1, 4-33, 4-61, and 4-62 Property Maintenance was moved to December.

SUP 2024-01: 71 S. 5th Street. The Owner/Applicant, Mr. Robert Samia, seeks a Special Use Permit for the reinstatement of a pre-existing use as a car dealership at 71 S. 5th Street (+/- 0.2869 acres). The Applicant is requesting permission for the use of the parcel as an auto dealership in an existing building with no physical changes, under Article 3-4.11.1 of the Zoning Ordinance, as the non-conforming use as an auto-dealership lapsed in the last few years. The property is a zoned C (Commercial) and designated Old Town Character District in Plan Warrenton 2040 (GPIN 6984-42-4640-000).

Ms. Jenkins introduced the application. The property was a car dealership for decades but the use lapsed during COVID-19 (~2020) for over two years, requiring a new SUP to reestablish the use. The property is zoned Commercial, in the Old Town Historic District and Old Town Character District (calling for mixed-use development and reuse of historic structures). Surrounding properties include commercial, office, retail, restaurant, personal service, and auto repair uses.

The applicant proposes 12 spaces for auto inventory (marked in blue), 4 spaces for employees (red, to the rear), and 2 spaces for customers (yellow, along one side). On-site parking is not a requirement since the site is within 300 feet of a municipal parking lot, but spaces are provided to help the business. Access is off Fifth Street, with traffic circulating around the building. All unloading/loading must be strictly on-site, with no public street use. The adjoining property is also owned by Mr. Samia and used for auto repair/service.

Ms. Jenkins explained that the Planning Commission held a work session in August and a public hearing in September, voting unanimously (4-0) to recommend approval as written. Town Council held a work session on October 8th, resulting in several added conditions:

- **Traffic (Condition 6.c):** No semi-trailer trucks for vehicle delivery; only mid-sized trailers or rollback vehicles allowed. No unloading/loading in the public street.
- **Lighting (Condition 12.c):** Any new lighting requires ARB Certificate of Appropriateness (COA) approval and must follow zoning requirements (fully shielded, cut-off, pointed downwards; turned off at close of business or 50% intensity reduction after 11 PM).
- **Signs (Condition 13.d):** Any new signage requires ARB COA approval.

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Existing conditions carried over include hours of operation (9 AM to 7 PM) and vehicle display only in marked spaces (max 12 vehicles). Any exterior changes to the building or property in the historic district (including lighting/signage) require ARB COA approval.

Mr. Semple asked about the number of vehicles stored on the property historically; Ms. Jenkins was unsure but noted it included spaces in the building.

Mr. Samia indicated he typically doesn't anticipate more than 10-12 cars, and has operated with no traffic or parking problems for 40 years, often using an accommodating lower lot. He intends to operate it as a "hobby" in retirement.

Mr. Semple also inquired about prior complaints; Ms. Jenkins stated she found none in Town records.

Mr. Semple asked if there was an idea how many vehicles were stored on the property in the past.

Ms. Jenkins stated she wasn't sure.

The Public Hearing opened at 7:15 PM

Public Hearing: SUP 2024-01: 71 S. 5th Street.		
Name	**Address**	**Organization or Individual**
Walter Hitchcock	127 Culpeper St.	Individual
Josephine Hitchcock	127 Culpeper St.	Individual

Walter Hitchcock (127 Culpeper St.) spoke about the property across the street he owns. He asserted that the property was not a car dealership for "several decades," but maybe "a couple of years." He found it a dangerous location due to increased pedestrian traffic (dog park, shortcut to bypass) on a narrow street with no sidewalks. He did not want the Town to be responsible for potential incidents due to adding another business without adequate pedestrian infrastructure.

J**osephine Hitchcock** (127 Culpeper St.) reiterated concerns about increased traffic on Fifth Street due to it being a shortcut. She noted parking issues and poor lighting when her business was there. She urged a traffic study and reconsideration of traffic flow, stating adding a car dealership would cause trouble and impact street safety.

The Public Hearing was closed at 7:22pm.

Vice Mayor Hartman moved to approve SUP 2024-01, seconded by Ms. Sutphin.

Vice Mayor Hartman stated he did not believe a significant public safety issue for pedestrians had been demonstrated, and saw no reason not to allow the business to reopen given its past operation without issues and the small scale (12 cars).

Mr. Mooney agreed with being business-friendly and commended staff and the Planning Commission for the conditions.

Mr. Semple acknowledged the Hitchcocks' concerns but noted other areas with more traffic and no sidewalks, stating he didn't envision a danger from 12 cars with 2 parking spots.

Mr. Gagnon asked Mr. Samia if he anticipated parking problems or difficulty complying with conditions.

Mr. Samia stated he doesn't anticipate problems, has operated there for 40 years, and believes his lower lot provides ample room.

Ms. Sutphin was happy to see the business thrive.

Mr. Hamby supported reopening the dealership, viewing it as a "casualty of the COVID mess" and noting its prior operation without issues. He hoped it would get back on the tax rolls.

Mr. Semple noted the Town's program for sidewalks and that their justification emerges over time.

Mr. Gagnon suggested that pedestrian safety and sidewalks on Fifth Street and other side streets, highlighted by Mr. Hitchcock, are safety issues that need to be looked at moving forward, especially with more attractions in the town core.

Motion to approve by Mr. Hartman

Seconded by Ms. Sutphin

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent:

SUP 2024-01: 71 S. 5th Street was approved unanimously.

ORDINANCE 2024-15 - This ordinance is proposed to amend Section 9.6 of the Town Code of the Town of Warrenton to modify the due date to apply for a renewal of a business license from March 1st to April 15th.

Ms. Stephanie Miller gave an overview. The ordinance will amend Section 9.6 of the Town Code to move the business license renewal application date from March 1st to April 15th. This change is allowable under state code and will align the renewal date with Fauquier County, offering more flexibility to businesses. Council held a work session on this topic on October 8th.

The Public Hearing opened at 7:33 PM. No speakers were signed up or wished to address the Council. The Public Hearing closed at 7:33 PM..

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Councilman Hamby moved to adopt Ordinance 2024-15 as presented, seconded by Councilman McGuire.

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent:

Ordinance 2024-15 was passed unanimously.

A Resolution to Amend the Fiscal Year 2025 Adopted Budget by $25,292,548.31 to Appropriate the Fiscal Year 2024 Carryover

Ms. Brooke Campbell provided an overview. She explained that this resolution proposes to amend the FY25 budget by $25,292,548.31 to appropriate funds for the FY24 carryover. The carryover consists of ongoing capital and operating projects, as well as grant funding. Reappropriation of these funds allows Town operations to remain uninterrupted. Council had no questions for Ms. Campbell.

The Public Hearing opened at 7:35 PM. No speakers were signed up or wished to address the Council. The Public Hearing closed at 7:36 PM.

Vice Mayor Hartman moved to adopt the Resolution as presented, seconded by Councilman McGuire. Discussion ensued to clarify that this is not an increase to the budget but rather the reappropriation of previously allocated funds from ongoing projects.

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent:

The motion passed unanimously, Resolution to Amend the Fiscal Year 2025 Adopted Budget by $25,292,548.31 to Appropriate the Fiscal Year 2024 Carryover was adopted.

CONSENT AGENDA.

Approval of Town Council Meeting Minutes

November 14th, 2024, Regular Town Council meeting

December 12th, 2024, Regular Town Council meeting V3

January 9th, 2024, Town Council Regular Meeting

January 26th, 2024, Town Council Special Meeting

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February 13, 2024, Regular Town Council Meeting

March 12th, 2024, Regular Town Council Meeting

April 9th, 2024, Regular Town Council Meeting

April 24th, 2024, Special Town Council Meeting

May 14th, 2024, Regular Town Council Meeting

June 11th, 2204, Regular Town Council Meeting

Departmental Quarterly Reports

Police Department Report

Finance Department Report

Community Development Department Report

Parks and Recreation Department Report

Public Works and Utilities Department Report

Capital Improvement Program

Street Maintenance Report

Human Capital

Emergency Management

Fleet and Facilities Department Report

Information and Technology Department Report

BOND-24-3- Bond Release Request O'Reilly Auto Parts

Planning Commission Reappointments- Mr. Steven Ainsworth, Mr. James Lawrence, Mr. Ryan Stewart.

Councilman Mooney moved to approve the Consent Agenda as presented, seconded by Vice Mayor Hartman. Discussion clarified that members mayreview minutes later and suggest changes if necessary.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays: Mr. Brett Hamby

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Abstention:
Absent:

The motion passed 6-1; the Consent Agenda was approved.

NEW BUSINESS.

There was no New Business.

UNFINISHED BUSINESS.

There was no unfinished business.

TOWN ATTORNEY'S REPORT.

Mr. Crim provided updates on ongoing litigation:

- **Cross (Amazon Data Center):** In discovery phase; received a second set of document production requests; a protective order was recently entered.
- **FOIA Case (Citizens for Fauquier County):** Appeal filed by outside insurance counsel; CFFC filed an opposition; pending before the Virginia Supreme Court.
- **Voluntary Settlement Agreement (VSA):** Will eventually be handled by a three-judge panel; the Commission on Local Government (COLG) issued a report not recommending changes to VSA language. A draft ordinance and legal advertisement for potential Council action are expected on the December agenda.

Mr. Crim also reported involvement in the Septic Assistance Local Partners Program, with meetings occurring to acquire a contractor for federal funding to connect properties to the public sewer system. Finally, he is involved in the Zoning Ordinance update, which he expects to be beneficial to citizens and businesses. No questions were asked

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TOWN MANAGER'S REPORT.

Mr. Cassidy announced the start of Fall Cleanup this week, with crews picking up curbside items. Public Works is hosting a "cookies and craft" event this Thursday at 1 PM for children. Parks and Rec is holding Halloween activities on October 26th, starting with a parade on Main Street at 9:45 AM, then "trunk or treat" in the parking lot, and a flashlight candy hunt at Rady Park at 7:15 PM. He reminded that Monday is a holiday and Town Hall will be closed. He introduced the "Your Town Academy," a citizens academy starting in January with 14 registered participants so far, to

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be posted online and in the Town Crier next week. Thanksgiving decorations will start appearing in Town soon.

COUNCILMEMBERS TIME.

Mr. McGuire- Expressed profound sadness over the murder of a Chicago Police Department officer in the line of duty, emphasizing that politics should not question loyalty. He spoke against violence and racist rhetoric, drawing on his experience in Bosnia, urging civility and caution in speech. He sent thoughts and prayers to Jimmy Hartman for his surgery. He suggested building a parking garage in town to boost the economy and emphasized the importance of infrastructure.

Mr. Gagnon- Spoke of a major house fire on Waterloo Street that destroyed the back portion and caused extensive smoke damage, displacing three families. One gentleman was injured but his injuries are not life-threatening. He appealed for donations (coats, clothing, household items, cash) to help these families.

Mr. Hartman- Noted the contentious nature of the past few weeks due to elections, citing instances of campaign signs being pulled up. He urged focusing on family, friends, and community. He commended the Warrenton Volunteer Fire Department for 100 years of incredible volunteer service. He also thanked the Warrenton Arts Commission for involving youth in the art community. He wished everyone a Happy Thanksgiving

Mr. Hamby- Thanked everyone who spoke and wished everyone a Happy Thanksgiving. He reiterated the need for a more detailed map of sewer and stormwater infrastructure in the Legion Drive/Shirley Avenue area due to outdated maps. He suggested making Main Street parklets permanent and placing this on the November work session agenda, citing costs for businesses from temporary setups. He also mentioned the negative impact of business closures and remodels (Chick-fil-A, Sheetz) on meals tax revenue.

Mr. Semple- Echoed Mr. McGuire's concerns about national temperament becoming local. He praised the cordial election night at the wellness center, showing American democracy at work, and appreciated the Registrar's Office and volunteers..

Ms. Sutphin- Wished the WVFD a Happy 100th Anniversary. She mentioned a tragic hit-and-run accident in Fauquier County where two vehicles struck and killed a pedestrian, and urged anyone with information to contact police, noting a $10,000 reward. She emphasized moving past election nastiness for community unity. She thanked Council for four years of service, describing it as painful, growing, and rewarding, and praised Town employees as top-notch. She expressed pride in her service and commitment to continuing to help the community.

Mr. Mooney- Thanked everyone who spoke and reiterated congratulations to the WVFD. He commended Town staff for continuous certifications, showing dedication to improvement. He congratulated Fauquier Health's cardiac rehab team on their renewed certification. He reminded residents about the open Septic Remediation Assistance Program and encouraged eligible applicants to apply at Town Hall. He thanked all veterans and wished a Happy Birthday to the Marine Corps.

Mayor Nevill- Congratulated candidates on their campaigns. He stated that election cycles driven by fear and misinformation run contrary to the values of Warrenton as a supportive, community-building small town that values differences of opinion. He asserted that when these values are abandoned, the town loses its special character. He stated his service is motivated by seeking prosperity for all residents, keeping Warrenton vibrant and accessible, and adapting for the future. He expressed optimism despite anticipated criticism. He wished everyone a Happy Thanksgiving and hoped for unity to tackle future challenges: rising costs, infrastructure demands (sidewalks, traffic calming, wastewater treatment), and driving in revenue through economic development to avoid burdening taxpayers. He stressed that Warrenton is the economic engine of the county, impacting schools and county residents, and must remain forward-facing. He thanked all veterans for their service and freedoms

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ADJOURNMENT.

With no further business, this meeting was adjourned at 8:00 PM on Tuesday, November 12th, 2024.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on November 12th, 2024.

Stephen M. Clough
Town Recorder

Attachments:

1) Handouts to Council from Citizen's time. November 12th, 2024.
2) Citizen Comment Emails and form submissions.
3) Signed legislation.

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The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

November 12th, 2024, Regular Town Council Meeting

Minutes

Attachment 1: Handouts to Council.

Draft

OAK VIEW NATIONAL BANK
128 Broadview Avenue, Warrenton, VA 20186

November 6, 2024

Warrenton Town Council
Attn: Mayor Carter Nevill
21 Main Street
Warrenton, Virginia 20186

Re: Continued Dialogue on Heros Bridge Village Project

Dear Town Council:

I hope this message finds you well. We have been informed through Fauquier Now and Heros Bridge that the Planning Commission has declined the Heros Bridge Village project. It is our understanding that several changes were made to the project based on feedback from the Town staff and recommendations from the Planning Commission.

As we are all aware, this country is facing an affordable housing crisis that has implications on the national, state and local levels. Our community is feeling the impact, and we must prioritize housing for our town's workforce and veterans.

While our bank does not take a political stance, we respectfully request that all parties involved in this approval process keep communication lines open and continue the discussion. If this project does not align with the Town's Comprehensive Plan at its proposed location, we believe there is an opportunity to collaborate on a site that meets the needs of Heros Bridge and the community.

Change can often be polarizing but let us work together for the betterment of our community.

Thank you for your attention to this matter.

Sincerely,

Michael Ewing
Chief Executive Officer
Oak View National Bank

cc: Heroes Bridge
Molly Brooks, Executive Director

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BENEFIT ANALYSIS
FAUQUIER COUNTY/TOWN OF WARRENTON BLA

		ARRINGTON DEVELOPMENT	
	COUNTY	TOWN	BLA COMMUNITY BENEFIT
Infrastructure			
Sanitary Sewer System	Private Onsite System	Connect to Existing Town System	Environmental Betterment - Reduces Any Potential Impacts to Turkey Run and the Occoquan Watershed
Taylor Pump Station	Not Required	Construct new pump station and force main improvements	$ 5.4 Million
Sanitary Sewer Availability Fees			
Residential	None	$2,916,000	$ 2,916,000 Plus $ 300,000 to $ 500,000 to Town W/S Budget
Commercial	None	$ 300,000 to $ 500,000 - Use Based	
Alwington Boulevard	Maintain & Extend as 2-lane	Upgrade 2-lane Portion to 4-lanes and extend 4-lanes northward	$ 2 Million Betterment - Reduce Traffic Congestion Associated with Relocation of Taylor Parent Drop-Off to Access From Alwington Blvd
Proffers			
School			
Brumfield Elementary	Construct Access Improvements	Construct Access Improvements	Separate Parent Drop Off from Bus Loop
Capital Contribution	$ 723,612 to County	$ 846,993 to County	$ 123,381 Increase Funding
Parks & Recreation	$ 174,605 to County	$ 204,376 to Town	$ 204,376 Direct Benefit to Town Recreational Programs
Emergency Services			
Fire & Rescue Training Facility	$ 19,068 to County	$ 22,319 to County	$ 306,376 Increase in Funding to Support County Emergency Services
New Fire & Rescue Station	$ 667,674 to County	$ 781,517 to County	
Public Safety Building	$ 211,896 to County	$ 248,026 to County	
TOTAL	$ 1,796,855 to County	$ 2,103,232 to County	
Housing Units			
Market-Rate			Net Increase of Only 37 Units with Diversification of Housing Options to Meet Changing Community Demographics
Single Family Detached	217	161	
Townhomes	0	93	
Total	217	254	
Affordable Housing	NONE	16	16 Units of Affordable Housing
Commercial Development	NONE	Restaurant, Hotel, + 25 Acres Zoned Commercial (C)	Significantly Increase Town Revenue - In 2023, $9M+ of Total Local Revenue (70% +) Derived From Businesses. Additional Real Estate Tax Base for County at Minimal Costs.

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The Town of Warrenton
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November 12th 2024, Regular Town Council Meeting

Minutes

Attachment 2: Citizen Comment Emails and form submissions.

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From: "Ellen Phipps" <[redacted]>
Sent: Sat, 12 Oct 2024 10:52:25 -0400
To: """ <citizencomment@warrentonva.gov>
Subject: HEROS BRIDGE PROJECT

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted] Learn why this is important

Today, there are over 32,000 people over the age of 65 in our region and this number is expected to double by 2050. Older adults are challenged with finding affordable rentals in the area and this need will only increase with time.At Aging Together, we receive calls from older adults in Warrenton and the surrounding area asking where they can get help with finding affordable housing. Most people, regardless of age, want to remain independent in their own homes for as long as possible. This may become more of a challenge as we age. However, with the proper supports in place - such as access to transportation, nutritional support and social engagement this dream can be a reality. We are all aging - we are not talking about some alien group. We will all, hopefully, find ourselves aging in our communities. There will come a time when we retire and, may need support. Aging Together has always endorsed "LIVABLE COMMUNITIES".
Livable communities include essential features that allow residents of all ages and backgrounds to thrive. These include mixed-use zoning , safe and varied transportation options, and diversity of housing types. Livable communities also have public spaces that benefit everyone. Communities that areLIVABLE and "age friendly" are communities that benefit all ages.
On behalf of Aging Together, we fully support the Heros Bridge housing project - as it represents an innovative approach to addressing the needs of older adults through a model that supports community.

Ellen Phipps, CTRS, MS
Executive Director
Aging Together
PO Box 367
1835 Industry Drive
Culpeper, VA 22701
[redacted]
[redacted]
https://www.agingtogether.org/

December 5 in Culpeper: The Annual Dementia Education Conference for anyone interested in learning more about dementia research and care!
Check info here: https://www.agingtogether.org/annual-dementia-conference.html

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TRUSTED
COMMUNITY
PARTNER
Regional
Transportation
Collaborative

Draft

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com" <noreply@civicplus.com>
Sent: 14 Oct 2024 15:12:47 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Public Comment

Name	Bruce A Campbell
Address	156 Menlough Drive
City	Warrenton
State	VA
Zip Code	20186
Email Address	[redacted]
Phone Number	7038968960
Committee, Board, or Commission Type	Planning Commission
Agenda Item	Hero's Bridge Veterans Village
Comment	My name is Bruce Campbell and I reside at 156 Menlough Drive in Warrenton. I regret I am unable to deliver these remarks in person as I am out of Town on October 15th. I am a retired Navy officer who continues to serve veterans in our community as the Post Service Officer and Life Member of VFW Post 9835, a Life Member of American Legion Post 72 and Chair of the regional Veterans Task Force for Mental Health. The Hero's Bridge Veterans Village is an inspired initiative to address the pressing need for affordable housing among our older veterans. Our aging veteran population faces unique challenges, including limited income, health issues, and a lack of family

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support. Having served our country with dedication, in their later years, they deserve a secure and affordable place to call home.

Three Key Points:

1. Financial Stability: Older veterans often rely on fixed incomes, such as Social Security or pensions, which may not be sufficient to cover rising housing costs. Affordable housing ensures they can live with dignity and financial stability.
2. Health and Well-being: Many older veterans face chronic health conditions that require accessible, supportive living environments. Affordable housing communities can provide the necessary facilities and services to maintain their health and well-being.
3. Community and Support: Veterans villages offer more than just housing—they foster a sense of community and provide access to essential support services. This sense of belonging can significantly improve mental health and overall quality of life.

Benefits to the Community:

1. Improved Health Outcomes: Affordable housing can lead to better mental and physical health for veterans, reducing strain on local healthcare systems.
2. Reduced Homelessness: By offering affordable housing, we can significantly reduce the number of veterans experiencing homelessness, alleviating pressure on local shelters and social services.
3. Economic Benefits: Stable housing increases the likelihood of veterans contributing to the local economy and reducing reliance on public assistance programs.
4. Community Integration: Affordable housing fosters a sense of belonging and connection, leading to stronger community ties and a more inclusive society.
5. Support Services: These projects provide access to vital support services, helping veterans live healthier, more productive lives.

Call to Action: By approving the Hero's Bridge Veterans Village, you are not only providing affordable housing but also honoring the sacrifices made by our veterans. This project will ensure that our aging heroes receive the respect and care they so rightfully deserve, while also benefiting the broader community. Thank you for your consideration and support.

Email not displaying correctly? View it in your browser.

Draft

From: "Keith B. Ellis" <[redacted]>
Sent: Tue, 15 Oct 2024 00:18:44 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: RE: Hero's Village support

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted] Learn why this is important

My wife and I attended the September Town Hall discussing the Hero's Village project.
We continue to support this project including the modifications to the proposal mentioned during the Town Hall by Hero's Bridge and Warrenton UMC.
Thank you,

Keith B. Ellis
Cynthia M. Ellis
Thomas M. Ellis

560 Solgrove Road
Warrenton Va, 20186.

From: Keith B. Ellis
Sent: Tuesday, September 17, 2024 11:51 AM
To: citizencomment@warrentonva.gov
Subject: Hero's Village support

To whom it may concern,

My family and I have researched, discussed and have a good deal of knowledge regarding the proposed Hero's Village project.

We have studied the design of the low density community as well as the positive impact it can provide for members of our community.
This small community would benefit that area greatly in providing much needed affordable housing to those in need. Some of the reason we are in support is our town has a severe lack of rentals for our seniors and with the shortage, the cost for rent is unaffordable for those needing it the most. The location provides easy transportation to needed services for the community including personal services like haircuts, shopping, restaurants, grocery stores, but also doctor, dentist, specialist appointments, the hospital, and pharmacies.

With numerous discussions over time and our questions and concerns being answered directly from the sponsors of this project we fully support the Hero's Village initiative for Warrenton, VA.

Thank you,

Draft

Keith B. Ellis
Cynthia M. Ellis
Thomas M. Ellis

560 Solgrove Road
Warrenton Va, 20186.

Keith B. Ellis *Associate Director Operations & Event Services*
Student Centers - George Mason University
[redacted] [redacted]

Draft

From: "Richard Fisher" <[redacted]>
Sent: Mon, 14 Oct 2024 19:23:34 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: ZMA 2023-01 Comments Against

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted] Learn why this is important

To the Warrenton Zoning Commission:

I am writing to oppose the rezoning request ZMA 20023-01, known as the Hero's Bridge project. As a 29-year Marine Corps veteran and resident of 120 Frazier Rd, Warrenton, my home will be directly impacted by this proposal. My opposition is not anti-veteran, but based on the following concerns:

1.
Not a Veteran Charity: Despite its name, Hero's Bridge is a commercial interest, not a veteran charity. The project involves building affordable senior housing in a medium-density residential area, with rent paid to both the Warrenton United Methodist Church and Hero's Bridge.
2.
Legal Issues: Hero's Bridge's own attorney, Mr. Foote, stated it is illegal in Virginia to prioritize veterans for this type of housing. Yet, Hero's Bridge plans to preference veterans, which is against the law and exposes both the organization and the town to liability.
3.
Financial Instability: Hero's Bridge has no proven financial backing or clear succession plan. They have not shown how they will fund or sustain the project over their proposed 75-year lease with the church, relying on unproven donations.

This project will also lower my property value by bordering commercial zoning and increase traffic in our neighborhood, affecting the safety of my family and neighbors. I urge the commission to reject this proposal due to its legal, financial, and community impact concerns.

Sincerely,
Richard Fisher
Rich Fisher
[redacted]

Draft

From: "Melissa Hunt" <[redacted]>
Sent: Tue, 15 Oct 2024 10:58:31 -0400
To: "citizencomment" <citizencomment@warrentonva.gov>
Subject: Public Comment - Planning Commission Public Hearing 10/15/24 - Hero's Bridge/Warrenton UMC Proposed Project

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Good morning Chair Stewart & Planning Commissioners,

My name is Melissa Hunt; I live at 336 Stuyvesant Street, and I am an adjacent property owner of the proposed Hero's Bridge/Warrenton United Methodist Church project.

There are so many ways that an affordable housing project for seniors could be achieved and successful at this site that would complement the existing R-10 zoning district and implement aspects of the 2040 Plan. However, the proposals that have come before the Town from Warrenton United Methodist Church have been disorganized, distracting to adjacent zoning, disregard existing zoning regulations; and create substandard conditions for a vulnerable population.

I would support a project that shows respect for the adjacent property owners and the future residents of the proposed project. As a Town, we should be mindful that where we create Affordable Housing, we do not lower the standards that compromise the Health, Safety & Welfare of all our residents, especially our senior population. The proposed plan lowers those standards.

Now that we know Veterans' preference is off the table and quite frankly illegal when it comes to housing, we can view this plan the way it should have been from the beginning. A land use application that violates multiple ordinances and will set a new standard for this location, as asserted by the applicant exercising Rowland v. Town of Warrenton. Since this project will now be open to ALL qualifying citizens over 65, Hero's Bridge could be gone the next day. The staff raises this concern multiple times throughout the Staff Analysis of the proffers. There is nothing that makes Hero's Bridge the permanent property manager. In fact, since the project cannot legally deny a non-veteran, the entire site could be without veterans at any given time. In this case, there is a strong likelihood Hero's Bridge will not continue operations. What is the plan for this probable scenario?

Town staff comments "it will function like an assisted living facility with residents having limited use and/or ability to drive cars, yet the design of the site indicates these residents will be "independent" in that no on-site dining is provided." Are we to believe that a

Draft

65-year-old person won't drive a car? Or, if they have been homeless, won't have the desire to eventually obtain a car now that they have an aspect of stability in their life? Are we to believe that seniors over the age of 65 will not need a caregiver at any time as they age and need for care/assistance increases? Will this project, as proposed, preclude the ability for seniors to age in place if circumstances change? Or leave them displaced once again?

Are we to believe the applicants statement "many, if not most, of the residents do not have family to support them". This plan creates isolation for this vulnerable population. Shouldn't we encourage these vulnerable residents to reconnect with their family and friends now that they have stable housing? Yet this plan discourages visits from family, friends, and overnight guests. It's concerning that Warrenton United Methodist Church would create a senior affordable housing plan that could be detrimental to future residents based on restrictions.

Let's do this the right way, give the adjacent property owners the required setbacks; give the future residents the appropriate parking and open space they deserve; provide the appropriate connectivity to services and shopping; provide safe internal turnarounds for fire trucks and other emergency equipment. Just because these folks were homeless or struggling financially doesn't mean they deserve less than other areas of development within the Town. This has all the appearances of taking advantage of a vulnerable population by waiving multiple standard zoning provisions that are in place to improve the public health, safety, and convenience of ALL their citizens.

Housing conditions for our seniors should not be substandard. Nor should the Town approve a major rezoning from R-10 to R-PUD for a Senior Affordable Housing development stuffed into an older, well established community that has not been well vetted to ensure its original intent, continued viability and longevity.

Thank you for considering my comments regarding this project.

Respectfully,

Melissa Hunt

Draft

From: "towntraffic" <towntraffic@warrentonva.gov>
Sent: Sun, 3 Nov 2024 14:07:04 +0000
To: "Bridget Bradshaw" <[redacted]>
Cc: "citizencomment" <citizencomment@warrentonva.gov>; "Frank Cassidy" <fcassidy@warrentonva.gov>; "Lyndie Paul" <lpaul@warrentonva.gov>
Subject: Re: Cyclist and Pedestrian pro-stop sign!

Hi Bridget,

Thanks for reaching out again. We appreciate the feedback on courthouse square!

Thank you,

Johnny Switzer, FMP

540-680-9538
18 Court Street. Warrenton, VA 20186
jswitzer@warrentonva.gov
www.warrentonva.gov

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From: Bridget Bradshaw <[redacted]>
Sent: Friday, November 1, 2024 6:17:19 PM
To: towntraffic <towntraffic@warrentonva.gov>
Subject: Re: Cyclist and Pedestrian pro-stop sign!

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Just affirming that I appreciate y'all putting in a 3-way stop at the court house! I imagine you get lots of blowback because change is hard. But an anecdote so you know it will make a difference:

I'm starting to lead town nature walks for kids and families from the Warrenton branch of the library. I want to be able to take them over to main street and then to the PEC gardens to avoid

the really steep hills. 2 weeks ago I was out with the kids and decided against crossing that intersection as I had walked to the library that way and almost got hit by someone turning left down the hill from Waterloo. I was talking to the parents about the plan to cross the intersection and they all agreed we shouldn't try to do it--too dangerous-- and said they would be so excited to be able to walk more safely in and around the library/courthouse/frozen yogurt spot. So I can at least speak for our library families that they'll be happy for it! I imagine you get a lot of complaints so hopefully this anti-complaint helps. It may literally save my life while biking!! It's is a leap of faith to take that left turn onto main most days when my legs are jelly from the big hill. I think if people want to go fast, the Main street of any town is not the place.

Thanks for what you do,
Bridget Bradshaw

On Fri, Jan 26, 2024, 5:04 PM Bridget Bradshaw <[redacted]> wrote:

> Hello!
>
> I live in town and regularly bike, walk, and drive through the main street intersection. I applaud the town for making it safer, as there have been a number of instances when I've almost been hit or hit someone else. I think a 3 way stop would be perfect there, if for no other reason than to slow down the traffic that is turning right onto Blackwell from main which is a scary place to be a pedestrian or biker.
>
> While I'm at it, anything to make town more walkable and bikeable I am 1000% behind! I live on the other side of Shirley (between Taylor and the horse grounds) and I wish we had a crosswalk at Wilson St w/ some flashing lights. Kind of a scary blind hill right there, but we love walking and biking into town.
>
> Thank you for all you do!
> Bridget Bradshaw
> 205 Jefferson St.

Draft

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

November 12th, 2024, Regular Town Council Meeting Minutes

Attachment 3: Signed legislation

Draft

Motion for Convening a Closed Session

Council Meeting Date: November 12th, 2024.

I move that the Council convene in closed session to discuss the following:

____ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:
____ Discussion, consideration or interviews of prospective candidates for employment or appointment; OR
____ assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town;
specifically dealing with _____ *[Give department, job title(s), or job category].*

____ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving:
____ discussion or consideration of the acquisition of real property for a public purpose; OR
____ disposition of publicly held real property
specifically involving _____ *[Give location of property]*, because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.

____ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.

__X__ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:
__X__ probable litigation involving : **regarding a claim for property damage due to a sewer backup**
____ the pending case of _____ *[Give case name]*,
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.

__X__ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to **legal problems that may arise from discussing and drafting conditions for a Special Use Permit.**

____ As permitted by Virginia Code § 2.2-371 l (A)(29), discussion of the award of a public contract for _____ *[Give nature of the contract]* involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.

____ As permitted by Virginia Code § _____, a matter involving:
_____.

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**
Nays:
Absent from Vote: None

Draft

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**
Nays:
Absent from Vote: None

For Information:
Town Clerk

Effective date: November 12th, 2024.

Stephen Clough, Town Recorder

Draft

ORDINANCE 2024-15

November 12, 2024
Town Council
Public Hearing
Ordinance 2024-15

AN ORDINANCE TO AMEND SECTION 9.6 OF THE TOWN CODE TO MODIFY THE DUE DATE TO APPLY FOR A BUSINESS LICENSE EFFECTIVE NOVEMBER 12, 2024

WHEREAS, Chapter 9 of the Code of the Town of Warrenton levies a license tax upon business conducted within town limits; and

WHEREAS, Section 9.6.b prescribes that "Each person subject to a license tax shall apply for a license prior to beginning business if he was not subject to licensure in this jurisdiction on or before January 1 of the license year, or no later than March 1 of the license year if he had been issued a license for the preceding year."; and

WHEREAS, Code of Virginia Section 58.1-3703 provides that any locality is authorized to adopt a later application date that is on or before May 1 of the license year; and

WHEREAS, the Town Council has deemed it advisable to move the due date from March 1 to April 15 to allow businesses additional time to complete their renewal applications; now, therefore, be it

ORDAINED, by the Warrenton Town Council this 12th day of November 2024, that Town Code Section 9.6.b is amended to read as follows:

> (b) Each person subject to a license tax shall annually apply for a license on or before April 15. Each person beginning a business shall obtain a license prior to beginning the business in the town. The application shall be on forms prescribed by the finance director.

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**
Nays:
Absent from Meeting:

For Information:
Finance Director

ATTEST: _____

Draft

ORDINANCE 2024-16

November 12, 2024
Town Council
Public Hearing
Ordinance 2024-16

AN ORDINANCE TO ALLOW THE VACATION OF A PORTION OF A PLAT SHOWING A UTILITY EASEMENT AND ESTABLISHING A NEW UTILTIY EASEMENT ON TAX PARCEL NUMBER 6984-16-2823-000

WHEREAS, PM Plus, LLC is the owner of certain real property located in the Town of Warrenton, Virginia, identified as Tax Map Parcel 6984-16-2823-000 containing 0.5220 acres, (the "Property") as the same is shown on a plat attached to a Deed of Waterline Easement recorded in Deed Book 1738 at Page 1218 among the Fauquier County, Virginia land records (the "Land Records"); and

WHEREAS, it is the desire of the Owner and the Town to vacate a portion of a utility easement created in said deed, as permitted by Code of Virginia Section 15.2-2272 (2); and

WHEREAS, the Town Council held a public hearing on November 12, 2024, upon advertisement notice, properly and duly given; and

WHEREAS, the Town Council desires to adopt this ordinance to vacate the aforementioned portion of a utility easement as set forth on the aforesaid plat of survey; now, therefore, be it

ORDAINED, by the Town Council of the Town of Warrenton, that the council vacates a portion of a Utility Easement created by that Deed of Waterline Easement recorded in Deed Book 1738 at Page 1218 as shown on the proposed Deed of Vacation of Easement and to Establish Waterline Easement and Conveyance, prepared by Chap Petersen & Associates, PLC, dated May 10, 2024, and attached hereto.

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**
Nays:
Absent from Meeting:

For Information:
Community Development Director

ATTEST: _____

Draft

Tax Map Pin Number:
6984-16-2823

Prepared without benefit of title examination by:

Chap Petersen, Esq.
CHAP PETERSEN & ASSOCIATES, PLC
3970 Chain Bridge Rd
Fairfax, VA 22030
(571) 459-2512
jas@petersenfirm.com

This deed is exempt from the recordation taxes imposed by §58.1-801, §58.1-802 and §58.1-807of the Code of Virginia, 1950, pursuant to §58.1-811(A)(3) & (C)(4).

DEED OF VACATION OF EASEMENT AND TO ESTABLISH WATERLINE EASEMENT AND CONVEYANCE

THIS DEED OF VACATION OF WATERLINE EASEMENT AND TO ESTABLISH WATERLINE EASEMENT AND CONVEYANCE (the "Deed"), made this _____ day of _____, 2024, by PM Plus, LLC ("PM PLUS")_, a Virginia limited liability company ("Owner"), Grantor, and the TOWN OF WARRENTON, VIRGINIA, a municipal corporation ("Town"), Grantee, and Bank of America, N.A. ("Lender"), party of this third part.

WITNESSETH

That PM Plus is the owner of certain real property located in the Town of Warrenton, Virginia, known as the Lot containing 0.5220 acres, more or less (the "Property") as same is shown on plat attached to Deed of Waterline Easement recorded in D.B. 1738, at Page 1218 among the land records of Fauquier County ("Land Records"). That it is the desire of the Owner and the Town to vacate the waterline easement created in D.B. 1738, Page 1218 among the Land Records in the location as shown on the Plat and as hereinafter provided. That for and in consideration for the interests granted and for damages to the residue, including any damages to trees, bushes and improvements damaged or destroyed in the course of constructing, operating, maintaining (including replacement and repair), adding to, and/or altering any Town improvements of which is hereby acknowledged, Grantor does hereby vacate, pursuant to § 15.2-2272 (2) of the Code of Virginia, as amended, all of its right, title, and interest in and to that waterline easement created in D.B. 1738, at Page 1218 among the Land Records in the location being more particularly bounded and described on the plat showing Easement Vacation and Dedication dated July 24, 2024 by Kevin W. Blake, Licensed Land Surveyor with IMEG (the "Plat"), which is attached hereto and made a part hereof labeled thereon as "EX. WATERLINE ESMT D.B. 1738 PG. 1218 HEREBY VACATED".

This DEED is made in accordance with the statutes made and provided in such cases, with the approval of the proper authorities of the Town of Warrenton, Virginia as shown by the signatures on this deed and on the Plat. The vacation for the waterline easement is with free consent and in

Draft

accordance with the desire of the owner of the land embraced within the bounds of said vacation, proprietors and trustees, if any. That for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, and, as amended, Grantor does hereby grant and convey unto the Town, its successors and assigns, in perpetuity, (i) an amended easement or easements as identified in the attached plat (hereinafter collectively referred to as the "Easement") for the purpose of constructing, operating, maintaining (including replacement and repair), adding to, and/or altering water mains, fire hydrants, valves, meters and other appurtenances to a water distribution system, and for the transmission of water through and across the property of Owner, and (ii) the fee simple of all water mains, fire hydrants, valves, meters and other facilities appurtenant to any water distribution system now or hereafter installed in the Easement, excepting service connections; Owner's property and the Easement being more particularly bounded and described on the Plat as 10' WATERLINE ESMT – HEREBY GRANTED.

FURTHER, the parties agree as follows:

1. The Town and its officials, employees and agents shall have full and free use of the said Easement area for the purposes stated and shall have all rights and privileges reasonably necessary to the convenient exercise of such activities, including the right of access to and from the Easement and the right to use land abutting and/or adjacent to the Easement where and when such is reasonably necessary for the convenient and efficient exercise of construction, inspection, alteration, repair and/or other maintenance activities relating to the water distribution system.

2. The Town shall have the right to trim, cut and/or remove trees and shrubbery and to remove fences, structures and other obstructions or facilities in or near the Easement which are deemed by the Town to interfere with the proper and efficient construction, operation, alteration, repair and/or other maintenance of the water distribution system, or any portion thereof.

3. The Town, at its own expense, shall restore to its original condition, as nearly as practicable, any of Owner's property disturbed by the Town in connection with activities undertaken pursuant to the provisions of Paragraphs numbered 1 and 2 above, but such restoration shall include only the reseeding or resodding or lawns, the reseeding of pasture areas, the replacement or repair of any authorized pavement which has been disturbed, any appropriate backfilling of trenches, the reinstallation of any fence removed and the planting of young shrubs in replacement of shrubs removed or destroyed by the Town. Moreover, with respect to Owner's property abutting and/or adjacent to the easement, (a) the Town shall plant young trees in replacement of trees removed or destroyed by the Town, and (b) other structures and facilities removed by the Town shall either be replaced by the Town or, at the Town's option, Owner shall be reasonably compensated by the Town for the value of any structure or facility removed, considering the condition of same. The foregoing provisions of this Paragraph numbered 3 notwithstanding, the Town need not replace any trees or shrubs or other structures, obstructions, or facilities planted, installed or constructed in violation of the provisions of Paragraph 5 numbered below.

4. Owner reserves the right to install and maintain pavement over said Easement in the event Owner otherwise has lawful authority to do so and such is in compliance with a Town-approved site plan or subdivision plat or plan, and to make any use of the Easement area which is not

inconsistent with the rights of the Town and does not interfere with the Town's use thereof, except as otherwise provided in Paragraph number 5 below.

5. Owner shall not erect any building or other structure, excepting a fence, plant any tree, change the existing ground elevation, or permit any such thing to be done within the Easement without obtaining the prior written approval of the Town. Moreover, Owner shall not erect any building or other structure, excepting a fence, plant any tree, or change the existing ground elevation on any land abutting and/or adjacent to the Easement if such could impair the water distribution system, or any portion thereof, or its proper functioning, or could unreasonably impair the Town's convenient exercise of construction, maintenance, or other authorized activities in relation to the water distribution system, and neither shall Owner permit any such thing to be done, without obtaining the prior written approval of the Town.

6. In the event the Town performs work of any nature and/or expends any funds to correct any unauthorized grading and/or to remove any unauthorized trees, buildings, structures, facilities or obstructions in, abutting, or adjacent to the Easement, and/or in the event Owner or any of his agents causes or allows any damage to be done to any portion of the water distribution system located in the Easement, Owner shall reimburse the Town, within ten (10) days of receipt of notice of demand, all reasonable costs incurred by the Town, plus a reasonable fee for all work performed by Town officials and/or employees and for all use of Town equipment. If such reimbursement is not made within the aforesaid ten (10) day period, interest shall accrue on the sum due at the legal rate of interest, and the Town shall be entitled to recover from Owner the attorney's fees incurred by the Town in pursuing recovery of the sums due and owing the Town.

7. Owner agrees to install in the easement, at Owner's expense, for ownership by the Town, within two (2) years of Owner's execution of this Deed or within such shorter period of time as may be agreed upon by Owner and the Town by separate written agreement, water distribution facilities in accordance with Town standards and requirements and in accordance with a Town approved site plan or subdivision plat or plan; Owner also agrees, as part of Owner's agreement to install, to maintain the same until such time as the Town has given final inspection and approval to such facilities as constructed.

8. The provisions and covenants of this Deed shall run with the land and shall remain binding upon Grantors and their respective successors in interest. Moreover, all references in this Deed to the Town shall refer to the Town and likewise to its successors and assigns, and all references to the officials, employees and agents of the Town shall likewise refer to the officials, employees and agents of the Town's successors and assigns.

9. The Town's execution of this Deed, by signature of its Town Manager, shall attest to and signify the Town's acceptance of the Easement in accordance with the terms of this Deed and the Town's acceptance of the fee simple of the water mains, fire hydrants, valves, meters and other appurtenances to any water distribution system now or hereafter installed therein upon Town's approval of same as installed/ constructed.

[SIGNATURES FOLLOW]

WITNESS the following signatures and seals:

PROPERTY OWNER

PM PLUS, LLC, a Virginia limited liability company

By: _____
Timothy Ku-Dipietro Manager

COMMONWEALTH OF VIRGINIA §
§
CITY OF FAIRFAX §

This Deed of Waterline Easement was acknowledged before me on the 27th day of August 2024 by Timothy Ku-Dipietro, the Manager of PM Plus, LLC, on behalf of said limited liability company.

Given under my hand this 27th day of August 2024.

Jennifer A Strosser
NOTARY PUBLIC
REG. #7912771
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES August 31, 2025

_____ (SEAL)
NOTARY PUBLIC

My commission expires: 08/31/2025

My Notary Registration Number: 7912771

Draft

ACCEPTED PURSUANT TO VIRGINIA CODE § 15.2-1803

TOWN OF WARRENTON, VIRGINIA

APPROVED AS TO FORM:

Martin R. Crim
[PRINT NAME]
Town Attorney

Martin R. Crim
[SIGNATURE]

ATTEST:

Stephanie Clough
[PRINT NAME]
Town Clerk

[SIGNATURE]

Frank Cassidy
[PRINT NAME]
Town Manager

[SIGNATURE]

COMMONWEALTH OF VIRGINIA

COUNTY OF Fauquier to wit:

I, Lyndie Paul, a Notary Public in and for the jurisdiction aforesaid, do certify that the foregoing Deed of Waterline Easement was acknowledged before me this 13th day of November 2024 by Frank Cassidy, in [his/her] capacity as Town Manager, for The Town of Warrenton.

Given under my hand and seal this 13th day of November, 2024.

LYNDIE RAYE PAUL
NOTARY PUBLIC
REG. #7828395
MY COMMISSION EXPIRES
Jan. 24, 2027
COMMONWEALTH OF VIRGINIA

NOTARY PUBLIC

My commission expires: 01-24-2027.

Notary Registration Number: 7828395

5

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THE BELOW-NAMED HOLDER(S) OF INDEBTEDNESS SECURED BY OWNERS' PROPERTY SIGN BELOW TO EVIDENCE HIS/HER/ITS CONSENT AND GRANT OF AUTHORITY TO THE TRUSTEE(S) UNDER THE RELATED DEED OF TRUST TO EXECUTE THIS DEED AND BIND THE HOLDER(S) THEREBY:

(NOTE: Holder(s) need not sign below when the Deed of Trust authorizes the Trustee(s) to execute this Deed without the joinder of the Holder(s).)

PRLAP, INC. a Virginia corporation
(Trustee to Deed of Trust for the benefit of *Bank of America, N.A.)*

By: _____(SEAL)
Name: Cynthia Schillo
Title: AVP

STATE OF FLORIDA §
§
COUNTY OF DUVAL §

This Deed of Waterline Easement was acknowledged before me this 16 day of September 2024 by Cynthia Schillo, in her capacity as AVP of PRLAP, Inc., a Virginia Corporation and Trustee to Deed of Trust (recorded September 18, 2023) for the benefit of Bank of America, N.A.

Given under my hand this 16 day of September, 2024.

LESLIE ALSTON POWELL
Notary Public, State of Florida
Commission# HH 433493
My comm. expires Sept. 15, 2027

Leslie Alston Powell (SEAL)
NOTARY PUBLIC

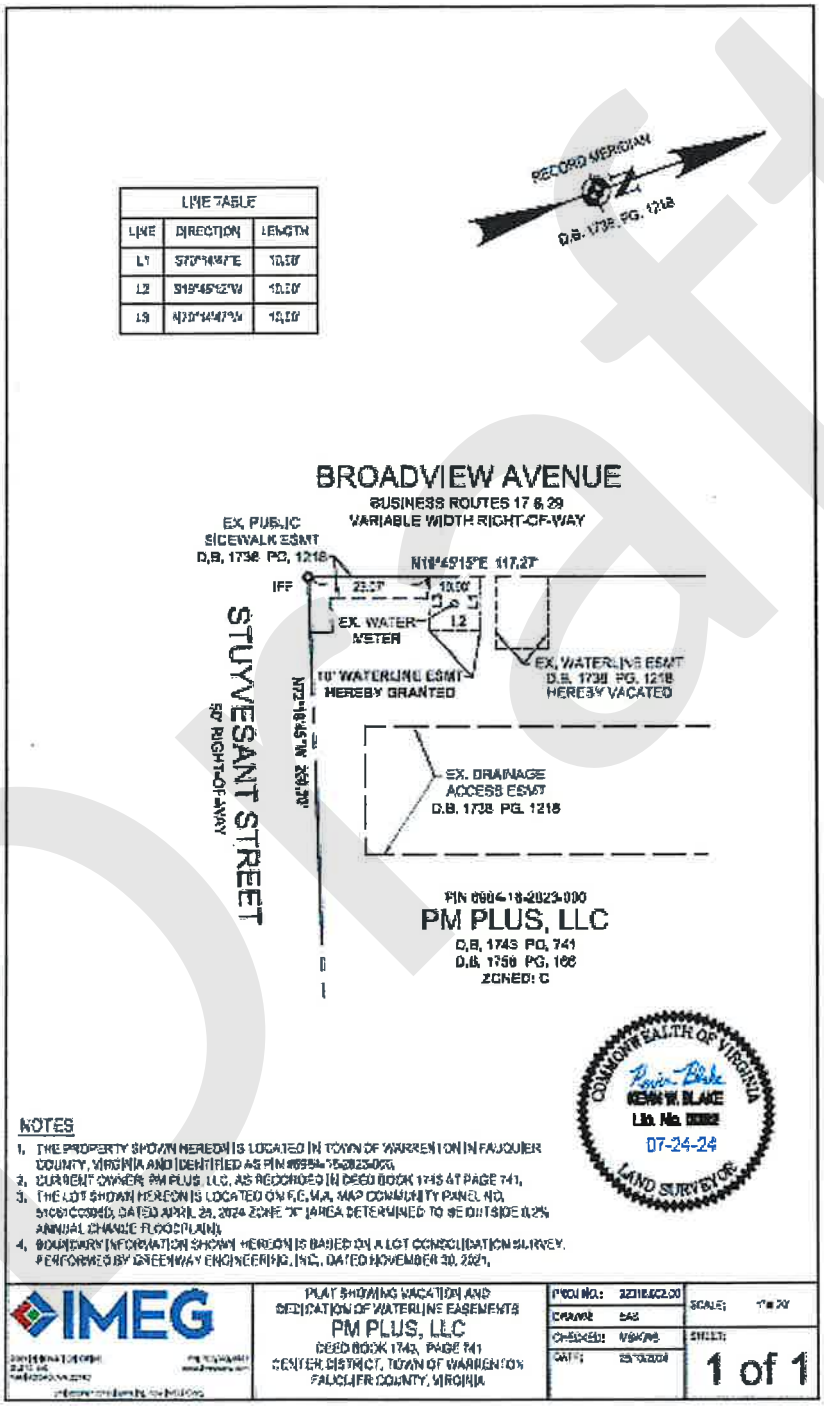
My commission expires: Sept. 15, 2027.

My Notary Registration Number: HH 433493.

Draft

EXHIBIT "A"

PLAT



Draft

November 12th, 2024, 2024
Mayor H.E. Carter Nevill
PRO-24-11-01

A PROCLAMATION RECOGNIZING NOVEMBER 30th, 2024, AS SMALL BUSINESS SATURDAY IN THE TOWN OF WARRENTON, VIRGINIA

WHEREAS, the Town of Warrenton, Virginia, celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 34.7 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 61.1% of net new jobs created since 1995, and small businesses employ 45.9% of the employees in the private sector in the United States; and

WHEREAS, 68 cents of every dollar spent at a small business in the U.S. stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

WHEREAS, 59% of U.S. consumers aware of Small Business Saturday shopped or ate at a small, independently owned retailer or restaurant on Small Business Saturday 2023; and

WHEREAS, Warrenton, Virginia, supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton does hereby proclaim, November 30, 2024, as

SMALL BUSINESS SATURDAY

And urges the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and Shop Small throughout the year.

TOWN OF WARRENTON VIRGINIA

H. E. Carter Nevill
Mayor Town of Warrenton

Draft

November 12th, 2024, 2024
Mayor H.E. Carter Nevill
PRO-24-11-02

A PROCLAMATION RECOGNIZING 100 YEARS OF SERVICE OF THE WARRENTON VOLUNTEER FIRE DEPARTMENT

WHEREAS, the Warrenton Volunteer Fire Department was established in 1924, and for the past 100 years has been dedicated to safeguarding the lives, property, and well-being of our small Town ; and

WHEREAS, the brave members of the Warrenton Volunteer Fire Department have selflessly volunteered their time, energy, and skills to respond to countless emergencies, including fires, accidents, medical crises, and natural disasters putting our community before themselves; and

WHEREAS, this esteemed department has exemplified a spirit of teamwork, compassion, and heroism, always answering the call to serve, regardless of personal risk, and acting as a beacon of hope and safety for our community; and

WHEREAS, generations of WVFD members have built a legacy of courage and dedication, consistently advancing their skills, training, and resources over the decades, with invaluable support from the Town of Warrenton, Fauquier County, and the residents of our community; and

WHEREAS, the Warrenton Volunteer Fire Department has not only responded to emergencies and our Communities worst days, but also engaged in fire prevention education, community outreach, and training programs, enhancing the safety and preparedness of our residents; and

WHEREAS, this milestone anniversary presents a unique opportunity for us to reflect on the Department's history, honor the lives saved, recognize the sacrifices made, and express our deepest gratitude to the volunteers, past and present, who have been integral to the Department's mission; and

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton recognizes the Warrenton Volunteer Fire Department in honor of their 100th Anniversary and in recognition of a century of service, dedication, and excellence.

The Mayor and members of the Town Council urge all citizens to join in celebrating the Warrenton Volunteer Fire Department's legacy, and to extend our sincere appreciation to the volunteers who have safeguarded our community with unwavering courage and commitment.

TOWN OF WARRENTON VIRGINIA

H. E. Carter Nevill
Mayor Town of Warrenton

October 8, 2024
Town Council
Regular Meeting
RES-24-10-01

A RESOULUTION TO REALLOCATE UNSPENT AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR THE PRIMARY CLARIFIER PROJECT

WHEREAS, the U.S. Congress passed and the President signed the American Rescue Plan (ARP) Act of 2021 which established the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF); and

WHEREAS, the United States Treasury distributed funding under the CSLFRF to the Commonwealth of Virginia and mandated that Non-Entitlement Unit funds be distributed according to a formula based on population; and

WHEREAS, the Town of Warrenton is considered a Non-Entitlement Unit and has received a total allocation of $10,403,180 according to the prescribed formula, which has been distributed in two equal tranches of $5,201,590 approximately 12 months apart with the second tranche received July 21, 2022; and

WHEREAS, staff has reviewed the United States Treasury guidance and provided information to Town Council during a work session on March 8, 2022 regarding projects that are eligible for the CSLFRF funding; and

WHEREAS, qualifying expenditures in the amount of $1,966,648 as detailed in the attached Exhibit A have previously been appropriated in the Fiscal Year 2023 Adopted Budget on June 16, 2022; and

WHEREAS, qualifying expenditures in the amount of $4,650,000 as detailed in the attached Exhibit B have previously been appropriated by council on September 13th, 2022; and

WHEREAS, the Town Council reviewed and committed funding for other projects as detailed in the attached Exhibit C that would be appropriated in the FY 2025 Adopted Budget in the amount of $236,083 during the March 8, 2022 work session; and

WHEREAS, qualifying expenditures in the amount of $3,269,910 as detailed in the attached Exhibit D have previously been appropriated in the Fiscal Year 2024 Adopted Budget on June 13 ,2023; and

WHEREAS, the Town Council appropriated the remaining $280,559 ARPA funds to affordable housing and accessibility initiatives focused on the best use of these funds for maximum benefit which will meet all the requirements for distribution of these funds on July 11, 2023 as detailed in the attached Exhibit E; and

WHEREAS, funds in the amount of $1,600,00 were reallocated, as detailed in Exhibit F, upon the cancellation of the Horseshow Grounds Project; and

WHEREAS, several of the projects previously identified by council have finished under budget, as detailed in Exhibit G, making funding available for the Primary Clarifier Project; and

Draft

NOW, THEREFORE, BE IT RESOLVED, that the Warrenton Town Council Hereby reallocate the unspent ARPA Funding in the amount of $830,135.74 to aid in the funding of the Primary Clarifier Project.

Votes:
Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from the meeting: Mr. James Hartman, Vice Mayor.

For Information:
Budget Manager

ATTEST: _____
Town Recorder

Draft

EXHIBIT A - Appropriated in FY23 Budget		
Project	**Estimated Cost**	**Description**
Financial Coordinator Salary and Benefits	$101,093	1 year in budget, remaining time committed
Assistant Director Salary and Benefits	$154,397	Covers 1 year period - salary and benefits
Junior Engineer Salary and Benefits	$131,947	Covers 1 year period - salary and benefits
Project Coordinator Salary and Benefits	$119,406	Covers 1 year period - salary and benefits
Compensation Study	$50,000	Classification and compensation study
Professional Services	$42,350	Economic Development
Fuel System	$50,000	IT
Waterloo Speed/Safety Improvements (T-23-002)	$70,200	FY23 cost only
Leaf Machine (G-23-003)	$85,000	
Salt Spreaders (G-23-004)	$68,000	
HVAC Replacement (G-23-005)	$55,000	FY23 cost only
Police Vehicles (P-23-001)	$98,262	FY23 cost only
Fitness and Studio Floor Replacement	$60,000	
Fitness Equipment Replacement	$25,000	
Traffic Light Updates (T-23-008)	$28,800	FY23 cost only
Timber Fence Trailway	$50,889	Timber Fence Trail Segment 2 (Town cost-share)
Refuse Trucks	$626,306	Two new refuse trucks
ADA Improvements (R-23-001)	$150,000	ADA improvements to Town park facilities; Remaining project balance committed for future years
	$1,966,648	**Total Appropriated in FY23 Budget**

EXHIBIT B - Appropriated September 13, 2022		
Project	**Estimated Cost**	**Description**
Water and Sewer Projects	$4,500,000	Per Davenport analysis of sewer rate study
ADA Compliance	$150,000	
	$4,650,000	**Total Appropriated September 13, 2022**

EXHIBIT C - Commitmented & Later Adopted in FY25 Budget		
Project	**Estimated Cost**	**Description**
ADA Improvements (R-23-001)	$150,000	ADA improvements to Town park facilities
Financial Coordinator Salary and Benefits	$86,083	Funding for support through 12/31/2024
	$236,083	**Total Committed**

Draft

EXHIBIT D - Appropriated in FY24 Budget		
Project	**Estimated Cost**	**Description**
Financial Coordinator Salary and Benefits	$124,824	1 year in budget, remaining time committed
Assistant Directors Salary and Benefits	$17,044	Remainder of 1 year period
Project Coordinator Salary and Benefits	$28,042	Remainder of 1 year period
Comprehensive Zoning Update	$200,000	
Deed Provision	$1,000,000	For payment of deed provision at WWTP
Horseshow grounds	$1,600,000	For purchase of horseshow ground property
ADA Improvements (R-23-001)	$300,000	ADA improvements to Town park facilities; Remaining project balance committed for future years
	$3,269,910	**Total Appropriated in FY24 Budget**

EXHIBIT E - Appropriated July 11, 2023		
Project	**Estimated Cost**	**Description**
Affordable Housing	$280,539	Affordable Housing and Accessibility Initiatives
	$280,539	

EXHIBIT F - Reallocated February 13, 2024		
WWTP Capital Payment	$500,000	
Water and Sewer Projects	$900,000	
Infrastructure Projects	$200,000	
Horseshow Grounds	($1,600,000)	
	-	

EXHIBIT G - Reallocated October 8, 2024		
Meeting & Polling Location ADA Compliance	($112,638)	
Playground ADA Improvements	($214,825)	
Assistant Director Salary and Benefits	($46,310)	
Compensation Study	($6,500)	
Comprehensive Zoning Update	($1,550)	
Deed Provision	$5,076	
Financial Coordinator Salary and Benefits	($96,753)	
Fitness and Studio Floor Replacement	($1,410)	
Fitness Equipment Replacement	($480)	
Fuel System	($14,466)	
HVAC Replacement	($6,668)	
Junior Engineer Salary and Benefits	($131,947)	
Leaf Machine	($10,572)	
Police Vehicles	($133)	
Professional Services - Economic Development	($42,350)	
Project Coordinator Salary and Benefits	($55,109)	
Recycling Trucks	$1,234	
Salt Spreaders	($2,119)	
Timber Fence Trailway	($50,889)	
Traffic Light Updates	($1,800)	
Waterloo Speed/Safety Improvements	($39,927)	
Primary Clarifier	$830,136	
	-	

$10,403,180	**Appropriated**
$10,403,180	**Total ARPA Funds Received**
-	**Available Balance**

Draft

November 12, 2024
Town Council
Public Hearing
RES-24-11-01

DRAFT RESOLUTION TO RECOMMEND APPROVAL SPECIAL USE PERMIT 2024-01: 71 S. FIFTH STREET – AUTO DEALERSHIP, PURSUANT TO SECTION 11-3.10.3 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON (GPIN 6984-42-4640-000)

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, The Owner/Applicant, Mr. Robert Samia, seeks a Special Use Permit for the establishment of a previous use as a car dealership at 71 S. 5th Street (+/- 0.2869 acres). (GPIN 6984-42-4640-000) in the Town of Warrenton and hereinafter referred to as the "Property;" and

WHEREAS, the Applicant has applied for a Special Use Permit pursuant to §3-4.10.3 of the Zoning Ordinance for the establishment of a use on the parcel as an auto dealership in an existing building with no physical changes. The auto-dealership use on the property lapsed in the last few years. The property is zoned C (Commercial District) and designated Old Town Mixed Use in Plan Warrenton 2040; and

WHEREAS, the Planning Commission held a work session on SUP 2024-01 on August 27, 2024 and a Public Hearing on September 17, 2024 where the Planning Commission voted 4-0 (with member being absent) to recommend approval of SUP 2024-01; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance, the Town Council, upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Work Session on October 8, 2024 and a Public Hearing on November 12, 2024; and

WHEREAS, the Town Council considered for approval of the Special Use Permit based on Conditions of Approval and Virginia State Code Section 15.2-2286.A.3; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval found in Section 11-3.10.3 in the Town of Warrenton Zoning Ordinance; and

WHEREAS, the Town Council, in consideration of all of the foregoing, is of the opinion that the application for the Special Use Permit is to be recommended for approval subject to certain conditions;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 12th day of November 2024, that SUP 2024-01 be, and is hereby, recommended for approval to Town Council, subject to the conditions as written in the Conditions of Approval.

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Town Recorder

Draft

November 12, 2024
Town Council
Regular Meeting
RES-24-11-02

A RESOLUTION TO AMEND THE FISCAL YEAR 2025 BUDGET BY $25,292,548.31 TO APPROPRIATE FUNDS FOR THE FISCAL YEAR 2024 CARRYOVERS

WHEREAS, the Warrenton Town Council is charged by the Code of Virginia with the preparation of an annual budget for the Town of Warrenton; and

WHEREAS, on June 11, 2024, the Town Council adopted the Town of Warrenton Fiscal Year 2025 Budget; and

WHEREAS, during the course of the fiscal year certain events occur that necessitate amending the budget to appropriate additional funds; and

WHEREAS, certain grants, purchases and capital projects included in the Fiscal Year 2024 Adopted Budget were incomplete as of June 30, 2024; and

WHEREAS, the Town Council of the Town of Warrenton held a public hearing to consider the amendment of the Fiscal Year 2025 Adopted Budget by $25,292,548.31 to appropriate funds to cover these items; and

WHEREAS, the Town Council voted to amend the Fiscal Year 2025 Adopted Budget to appropriate funds for the continuation of these grants, purchases, and capital projects; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Warrenton this 12th day of November 2024, that the Fiscal Year 2025 adopted budget is amended to appropriate $25,292,548.31 as noted in the attached staff report; and

BE IT FURTHER RESOLVED that the Department of Finance is authorized to process the necessary budget adjustments required for the appropriations.

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**
Nays:
Absent from Meeting:

For Information:
Budget Manager

ATTEST: _____
Town Recorder

Draft

November 12, 2024
Town Council
Regular Meeting
RES-24-11-03

RESOLUTION TO APPROVE BOND RELEASE REQUEST BOND-24-3 FOR O'REILLY AUTO PARTS FACILITY (SDP 2021-441)

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, a Site Development Plan for the O'Reilly Auto Parts Facility, case number SDP 2021-441, was approved subject to the provision of a Public Improvements Bond placed on August 30, 2020, in the amount of $230,895.77; and

WHEREAS, an As-Built Plan was submitted and subsequently approved on September 18, 2023, to demonstrate conformity with the approved final plat and the ordinances and regulations of the Town of Warrenton as required by Section 10-9 of the Ordinance; and

WHEREAS, the Developer submitted a request on September 19, 2023, to reduce the Public Improvements Bond by 85%; and

WHEREAS, the Warrenton Town Council granted the request to reduce the Public Improvements bond by 85% on November 14, 2023; and

WHEREAS, the Developer submitted a request on July 30, 2024 to release the remaining Public Improvements bond in the amount of $34,634.36; and

WHEREAS, the Warrenton Town Council may grant period partial releases of any bond, escrow, letter of credit or other performance guarantee required for the completion of improvements which are to be bonded as provided in Section 10-8.5 of the Town of Warrenton Zoning Ordinance; and

NOW THEREFORE BE IT RESOLVED, by the Warrenton Town Council that the Public Improvements Bond in the amount of $34,634.36 is hereby released.

ATTACHMENT: None

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**

Nays: **Mr. Brett Hamby**
Absent from Vote:
Absent from Meeting:

For Information:
Community Development Director,
Town Attorney

ATTEST: _____
Town Recorder

Draft

November 12th, 2024
Town Council
Regular Meeting
RES-24-11-04

RESOLUTION APPOINTING MR. STEVEN AINSWORTH TO THE TOWN OF WARRENTON PLANNING COMMISSION

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Code of Virginia 15.2-2212 states the Planning Commission shall be composed of not less than five (5) nor more than fifteen (15) members, who shall be appointed by the Town Council, all of whom shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; and

WHEREAS, Mr. Steven Ainsworth's current Planning Commissioner term expires December 31, 2024; and

WHEREAS, Mr. Steven Ainsworth has indicated an interest in being reappointed to the Planning Commission by Town Council for a four year term expiring December 31, 2028;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council hereby is appointing Mr. Steven Ainsworth to the Town of Warrenton Planning Commission for a Four-Year Term starting January 1st, 2025, through December 31, 2028.

ATTACHMENT: None

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**

Nays: **Mr. Brett Hamby**
Absent from Vote:
Absent from Meeting:

For Information:
Community Development Director

ATTEST: _____
Town Recorder

Draft

November 12th, 2024
Town Council
Regular Meeting
RES-24-11-06

RESOLUTION APPOINTING MR. RYAN STEWART TO THE TOWN OF WARRENTON PLANNING COMMISSION

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Code of Virginia 15.2-2212 states the Planning Commission shall be composed of not less than five (5) nor more than fifteen (15) members, who shall be appointed by the Town Council, all of whom shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; and

WHEREAS, Mr. Ryan Stewart's current Planning Commissioner term expires December 31, 2024; and

WHEREAS, Mr. Ryan Stewart has indicated an interest in being reappointed to the Planning Commission by Town Council for a four year term expiring December 31, 2028;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council hereby is appointing Mr. Ryan Stewart to the Town of Warrenton Planning Commission for a Four-Year Term starting January 1st, 2025, through December 31, 2028.

ATTACHMENT: None

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**

Nays: **Mr. Brett Hamby**
Absent from Vote:
Absent from Meeting:

For Information:
Community Development Director

ATTEST: _____
Town Recorder

Draft

November 12th, 2024
Town Council
Regular Meeting
RES-24-11-05

RESOLUTION APPOINTING MR. JAMES LAWRENCE TO THE TOWN OF WARRENTON PLANNING COMMISSION

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Code of Virginia 15.2-2212 states the Planning Commission shall be composed of not less than five (5) nor more than fifteen (15) members, who shall be appointed by the Town Council, all of whom shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; and

WHEREAS, Mr. James Lawrence's current Planning Commissioner term expires December 31, 2024; and

WHEREAS, Mr. James Lawrence has indicated an interest in being reappointed to the Planning Commission by Town Council for a four year term expiring December 31, 2028;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council hereby is appointing Mr. James Lawrence to the Town of Warrenton Planning Commission for a Four-Year Term starting January 1st, 2025, through December 31, 2028.

ATTACHMENT: None

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**

Nays: **Mr. Brett Hamby**
Absent from Vote:
Absent from Meeting:

For Information:
Community Development Director

ATTEST: _____
Town Recorder

Draft

Tax Map Pin Number:
6984-16-2823

Prepared without benefit of title examination by:

Chap Petersen, Esq.
CHAP PETERSEN & ASSOCIATES, PLC
3970 Chain Bridge Rd
Fairfax, VA 22030
(571) 459-2512
jas@petersenfirm.com

This deed is exempt from the recordation taxes imposed by §58.1-801, §58.1-802 and §58.1-807of the Code of Virginia, 1950, pursuant to §58.1-811(A)(3) & (C)(4).

DEED OF VACATION OF EASEMENT AND TO ESTABLISH WATERLINE EASEMENT AND CONVEYANCE

THIS DEED OF VACATION OF WATERLINE EASEMENT AND TO ESTABLISH WATERLINE EASEMENT AND CONVEYANCE (the "Deed"), made this _____ day of _____, 2024, by PM Plus, LLC ("PM PLUS")_, a Virginia limited liability company ("Owner"), Grantor, and the TOWN OF WARRENTON, VIRGINIA, a municipal corporation ("Town"), Grantee, and Bank of America, N.A. ("Lender"), party of this third part.

WITNESSETH

That PM Plus is the owner of certain real property located in the Town of Warrenton, Virginia, known as the Lot containing 0.5220 acres, more or less (the "Property") as same is shown on plat attached to Deed of Waterline Easement recorded in D.B. 1738, at Page 1218 among the land records of Fauquier County ("Land Records"). That it is the desire of the Owner and the Town to vacate the waterline easement created in D.B. 1738, Page 1218 among the Land Records in the location as shown on the Plat and as hereinafter provided. That for and in consideration for the interests granted and for damages to the residue, including any damages to trees, bushes and improvements damaged or destroyed in the course of constructing, operating, maintaining (including replacement and repair), adding to, and/or altering any Town improvements of which is hereby acknowledged, Grantor does hereby vacate, pursuant to § 15.2-2272 (2) of the Code of Virginia, as amended, all of its right, title, and interest in and to that waterline easement created in D.B. 1738, at Page 1218 among the Land Records in the location being more particularly bounded and described on the plat showing Easement Vacation and Dedication dated July 24, 2024 by Kevin W. Blake, Licensed Land Surveyor with IMEG (the "Plat"), which is attached hereto and made a part hereof labeled thereon as "EX. WATERLINE ESMT D.B. 1738 PG. 1218 HEREBY VACATED".

This DEED is made in accordance with the statutes made and provided in such cases, with the approval of the proper authorities of the Town of Warrenton, Virginia as shown by the signatures on this deed and on the Plat. The vacation for the waterline easement is with free consent and in

Draft

accordance with the desire of the owner of the land embraced within the bounds of said vacation, proprietors and trustees, if any. That for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, and, as amended, Grantor does hereby grant and convey unto the Town, its successors and assigns, in perpetuity, (i) an amended easement or easements as identified in the attached plat (hereinafter collectively referred to as the "Easement") for the purpose of constructing, operating, maintaining (including replacement and repair), adding to, and/or altering water mains, fire hydrants, valves, meters and other appurtenances to a water distribution system, and for the transmission of water through and across the property of Owner, and (ii) the fee simple of all water mains, fire hydrants, valves, meters and other facilities appurtenant to any water distribution system now or hereafter installed in the Easement, excepting service connections; Owner's property and the Easement being more particularly bounded and described on the Plat as 10' WATERLINE ESMT – HEREBY GRANTED.

FURTHER, the parties agree as follows:

1. The Town and its officials, employees and agents shall have full and free use of the said Easement area for the purposes stated and shall have all rights and privileges reasonably necessary to the convenient exercise of such activities, including the right of access to and from the Easement and the right to use land abutting and/or adjacent to the Easement where and when such is reasonably necessary for the convenient and efficient exercise of construction, inspection, alteration, repair and/or other maintenance activities relating to the water distribution system.

2. The Town shall have the right to trim, cut and/or remove trees and shrubbery and to remove fences, structures and other obstructions or facilities in or near the Easement which are deemed by the Town to interfere with the proper and efficient construction, operation, alteration, repair and/or other maintenance of the water distribution system, or any portion thereof.

3. The Town, at its own expense, shall restore to its original condition, as nearly as practicable, any of Owner's property disturbed by the Town in connection with activities undertaken pursuant to the provisions of Paragraphs numbered 1 and 2 above, but such restoration shall include only the reseeding or resodding or lawns, the reseeding of pasture areas, the replacement or repair of any authorized pavement which has been disturbed, any appropriate backfilling of trenches, the reinstallation of any fence removed and the planting of young shrubs in replacement of shrubs removed or destroyed by the Town. Moreover, with respect to Owner's property abutting and/or adjacent to the easement, (a) the Town shall plant young trees in replacement of trees removed or destroyed by the Town, and (b) other structures and facilities removed by the Town shall either be replaced by the Town or, at the Town's option, Owner shall be reasonably compensated by the Town for the value of any structure or facility removed, considering the condition of same. The foregoing provisions of this Paragraph numbered 3 notwithstanding, the Town need not replace any trees or shrubs or other structures, obstructions, or facilities planted, installed or constructed in violation of the provisions of Paragraph 5 numbered below.

4. Owner reserves the right to install and maintain pavement over said Easement in the event Owner otherwise has lawful authority to do so and such is in compliance with a Town-approved site plan or subdivision plat or plan, and to make any use of the Easement area which is not

inconsistent with the rights of the Town and does not interfere with the Town's use thereof, except as otherwise provided in Paragraph number 5 below.

5. Owner shall not erect any building or other structure, excepting a fence, plant any tree, change the existing ground elevation, or permit any such thing to be done within the Easement without obtaining the prior written approval of the Town. Moreover, Owner shall not erect any building or other structure, excepting a fence, plant any tree, or change the existing ground elevation on any land abutting and/or adjacent to the Easement if such could impair the water distribution system, or any portion thereof, or its proper functioning, or could unreasonably impair the Town's convenient exercise of construction, maintenance, or other authorized activities in relation to the water distribution system, and neither shall Owner permit any such thing to be done, without obtaining the prior written approval of the Town.

6. In the event the Town performs work of any nature and/or expends any funds to correct any unauthorized grading and/or to remove any unauthorized trees, buildings, structures, facilities or obstructions in, abutting, or adjacent to the Easement, and/or in the event Owner or any of his agents causes or allows any damage to be done to any portion of the water distribution system located in the Easement, Owner shall reimburse the Town, within ten (10) days of receipt of notice of demand, all reasonable costs incurred by the Town, plus a reasonable fee for all work performed by Town officials and/or employees and for all use of Town equipment. If such reimbursement is not made within the aforesaid ten (10) day period, interest shall accrue on the sum due at the legal rate of interest, and the Town shall be entitled to recover from Owner the attorney's fees incurred by the Town in pursuing recovery of the sums due and owing the Town.

7. Owner agrees to install in the easement, at Owner's expense, for ownership by the Town, within two (2) years of Owner's execution of this Deed or within such shorter period of time as may be agreed upon by Owner and the Town by separate written agreement, water distribution facilities in accordance with Town standards and requirements and in accordance with a Town approved site plan or subdivision plat or plan; Owner also agrees, as part of Owner's agreement to install, to maintain the same until such time as the Town has given final inspection and approval to such facilities as constructed.

8. The provisions and covenants of this Deed shall run with the land and shall remain binding upon Grantors and their respective successors in interest. Moreover, all references in this Deed to the Town shall refer to the Town and likewise to its successors and assigns, and all references to the officials, employees and agents of the Town shall likewise refer to the officials, employees and agents of the Town's successors and assigns.

9. The Town's execution of this Deed, by signature of its Town Manager, shall attest to and signify the Town's acceptance of the Easement in accordance with the terms of this Deed and the Town's acceptance of the fee simple of the water mains, fire hydrants, valves, meters and other appurtenances to any water distribution system now or hereafter installed therein upon Town's approval of same as installed/ constructed.

[SIGNATURES FOLLOW]

WITNESS the following signatures and seals:

PROPERTY OWNER

PM PLUS, LLC, a Virginia limited liability company

By: _____
Timothy Ku-Dipietro Manager

COMMONWEALTH OF VIRGINIA §
§
CITY OF FAIRFAX §

This Deed of Waterline Easement was acknowledged before me on the 27th day of August 2024 by Timothy Ku-Dipietro, the Manager of PM Plus, LLC, on behalf of said limited liability company.

Given under my hand this 27th day of August 2024.

Jennifer A Strosser
NOTARY PUBLIC
REG. #7912771
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES August 31, 2025

_____ (SEAL)
NOTARY PUBLIC

My commission expires: 08/31/2025

My Notary Registration Number: 7912771

Draft

ACCEPTED PURSUANT TO VIRGINIA CODE § 15.2-1803

TOWN OF WARRENTON, VIRGINIA

APPROVED AS TO FORM:

Martin R. Crim
[PRINT NAME]
Town Attorney

Martin R. Crim
[SIGNATURE]

ATTEST:

Stephanie Clough
[PRINT NAME]
Town Clerk

[SIGNATURE]

Frank Cassidy
[PRINT NAME]
Town Manager

[SIGNATURE]

COMMONWEALTH OF VIRGINIA

COUNTY OF Fauquier to wit:

I, Lyndie Paul, a Notary Public in and for the jurisdiction aforesaid, do certify that the foregoing Deed of Waterline Easement was acknowledged before me this 13th day of November 2024 by Frank Cassidy, in [his/her] capacity as Town Manager, for The Town of Warrenton.

Given under my hand and seal this 13th day of November, 2024.

Lyndie Rae Paul
NOTARY PUBLIC

LYNDIE RAYE PAUL
NOTARY PUBLIC
REG. #7828395
MY COMMISSION EXPIRES
Jan. 24, 2027
COMMONWEALTH OF VIRGINIA

My commission expires: 01-24-2027.

Notary Registration Number: 7828395

5

Draft

THE BELOW-NAMED HOLDER(S) OF INDEBTEDNESS SECURED BY OWNERS' PROPERTY SIGN BELOW TO EVIDENCE HIS/HER/ITS CONSENT AND GRANT OF AUTHORITY TO THE TRUSTEE(S) UNDER THE RELATED DEED OF TRUST TO EXECUTE THIS DEED AND BIND THE HOLDER(S) THEREBY:

(NOTE: Holder(s) need not sign below when the Deed of Trust authorizes the Trustee(s) to execute this Deed without the joinder of the Holder(s).)

PRLAP, INC. a Virginia corporation
(Trustee to Deed of Trust for the benefit of *Bank of America, N.A.)*

By: _____(SEAL)
Name: Cynthia Schillo
Title: AVP

STATE OF FLORIDA §
§
COUNTY OF DUVAL §

This Deed of Waterline Easement was acknowledged before me this 16 day of September 2024 by Cynthia Schillo, in her capacity as AVP of PRLAP, Inc., a Virginia Corporation and Trustee to Deed of Trust (recorded September 18, 2023) for the benefit of Bank of America, N.A.

Given under my hand this 16 day of September, 2024.

LESLIE ALSTON POWELL
Notary Public, State of Florida
Commission# HH 433493
My comm. expires Sept. 15, 2027

Leslie Alston Powell (SEAL)
NOTARY PUBLIC

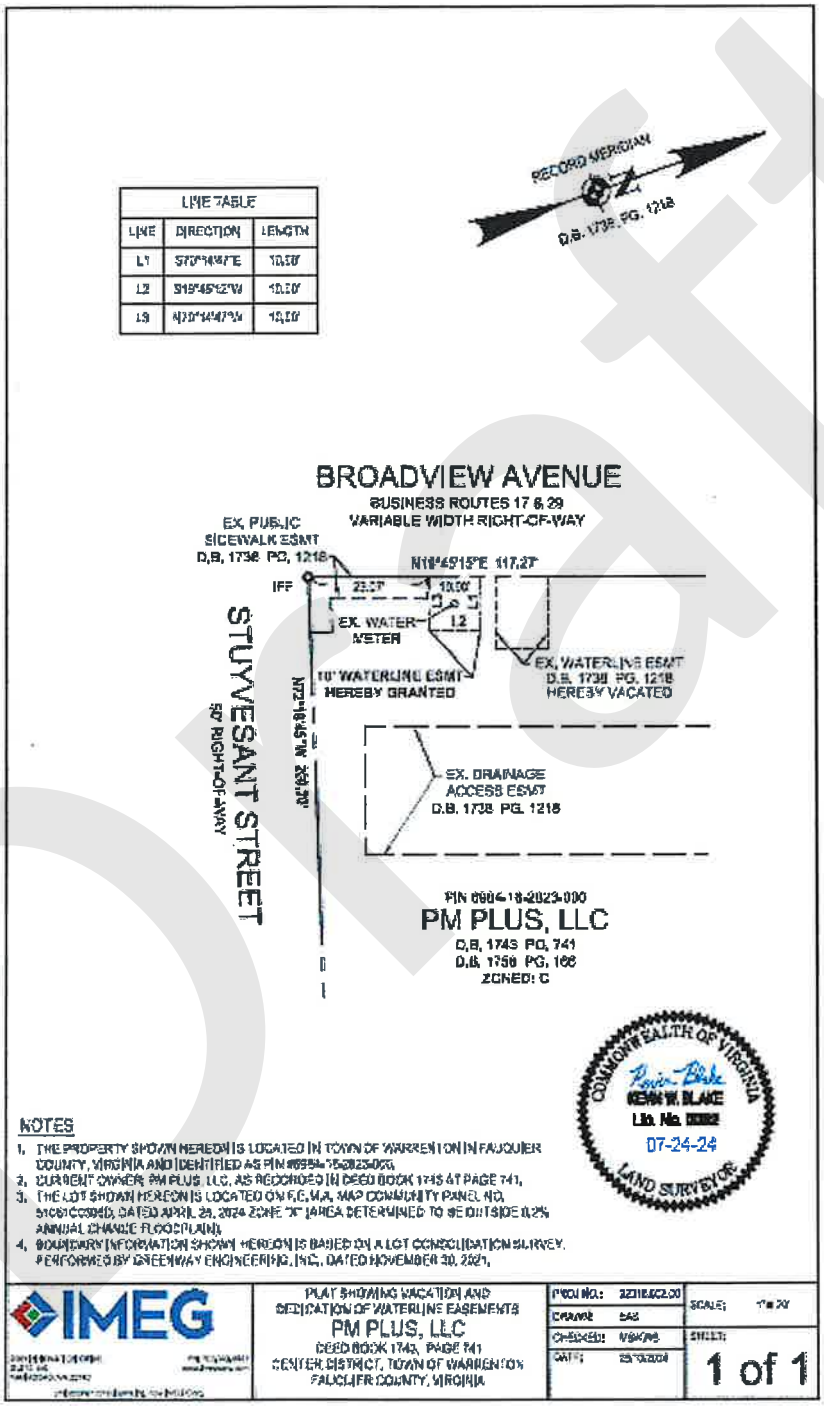
My commission expires: Sept. 15, 2027.

My Notary Registration Number: HH 433493.

Draft

EXHIBIT "A"

PLAT



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TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, December 10, 2024 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON DECEMBER 10TH, 2024, AT 9:00 AM

Work Session	
PRESENT	Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Paul Mooney; Mr. Eric Gagnon; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.
PRESENT ELECTRONICALLY	
ABSENT	Mr. James Hartman, Vice Mayor; Mr. David McGuire
Regular Meeting	
PRESENT	Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

I. WORKSESSION - 9:00 AM

The Mayor called the meeting to order at 9:00 AM. He stated that a physical quorum was present, and that Vice Mayor Hartman and Mr. McGuire were unable to attend. He stated that Ms. Sutphin was on her way and stuck at a traffic light.

1. External Audit Results and Financial Report for the Fiscal Year Ended June 30, 2024

Ms. Miller introduced the topic. Ms. Miller stated that the Code of Virginia requires accounts to be audited annually by an external firm of CPAs. Chris Murray was present to present the results of the audit and highlights of the financials for June 30, 2024.

Mr. Chris Murray, Director out of the Lynchburg office for Brown Edwards, thanked Stephanie and her team for a strong audit. He noted that a clean, unmodified opinion, the highest opinion obtainable, was issued for the annual comprehensive report (ACFR).

Mr. Murray recommended reading the management discussion and analysis (MD&A) within the ACFR for a condensed version of the financial statements and highlights. He highlighted the schedule of findings and questioned costs as a "report card," indicating no material weaknesses

or significant deficiencies over financial reporting or federal compliance, and no other federal or state findings.

Mr. Murray reviewed the net position for governmental activities, noting a gain of approximately two million dollars, bringing the total to over fifty-one million. Factors contributing to this increase included the recognition of fiscal recovery federal money and growth in investments due to a better market in FY24. He then discussed the general fund's unassigned fund balance, which currently stands at about six months of expenditures, exceeding the GFOA recommendation of at least two months. He explained that this figure can fluctuate based on capital outlay. The overall change in net position, including governmental and business-type activities, increased by approximately 3.9 million dollars. The business-type increase was partly due to a million-dollar transfer from the general fund and water and sewer rate increases.

Regarding the general fund revenue budget, Mr. Murray stated that while it was just below budget, it was typical due to federal funds being multi-year grants. Excluding federal funds, the revenue was about 1.5 million over budget due to factors like increases in meals tax and investment performances. Expenditures were consistently below budget, primarily due to capital outlay spanning multiple years. Without capital outlay, expenditures were still about seventeen percent below budget.

For water and sewer operations, Mr. Murray noted that last year the Town experienced a loss in operating income, but with water and sewer rate increases, they were back to a positive position this year. Income before transfer, which includes non-operating items like interest income and expense, was also discussed. Stormwater data was consistent with the previous year.

The quick ratio, which measures the ability to pay current obligations, was presented. A one-to-one benchmark is desired, and the Town is at about nine to one for governmental activities and just over two to one for business-type activities, which is still strong. The governmental activity ratio was inflated last year due to fiscal recovery funds.

Mr. Murray also mentioned two letters issued: one for required communication with governance and another with comments on internal controls noting no material weaknesses or new comments.

Mayor Nevill thanked Mr. Murray and Stephanie and her team for their strong performance.

Councilman Semple inquired about the decline in the quick ratio, expressing concern it could fall below the one-to-one benchmark.

Mr. Murray explained that the decline in governmental activities was expected as the COVID money, 10.4 million in cash, was being spent on projects, which reduces the cash component of the calculation. He did not expect a drastic decline in business-type activities as they consistently provide services and collect cash.

Mr. Semple asked if Stephanie could answer questions later if Mr. Murray was out of town.

Mr. Murray confirmed he would not be back next month but could be reached through Stephanie or directly. He also suggested meeting with Stephanie for follow-up questions.

2. Planning Commission Update From the November 19, 2024 Regular Meeting

Ms. Denise Harris, Planning Manager, introduced the topic.

Ms. Harris stated that Planning Commission did not have any public hearings in November. During a work session, they covered their bylaws that are being updated. They had no more meetings for the remainder of the year. There were no questions.

3. Your Town Academy Introduction

Mr. Frank Cassidy, Town Manager, introduced the topic.

Mr. Cassidy stated that there were twenty-seven registered citizen academies open at that point, and registration for more was open until December 20th.

Mr. Cassidy described that the point of these academies was to give citizens an intimate understanding of the internal operations of government. It involves eight sessions of interactions with Subject Matter Experts and departmental directors. The sessions would start on January 8th and there would be a graduation on March 11th.

Mr. Cassidy noted that this would be dedicated to a continual effort to present a transparent government as part of an outreach campaign.

Mayor Nevill expressed hope that the academy would encourage more contested council races and strong future councils.

4. Code of Conduct Committee Update

Mayor Nevill introduced the topic and opened the floor to questions.

Mr. Semple stated a staff report indicated that there were no comments made by Council, which he asserted was incorrect as he had submitted a redline in early October.

Mr. Semple took issue with some of the wording in the new Code of Conduct, including the use of "we" instead of "members," and recommended Council defer active consideration at this meeting. Councilwoman Heather Sutphin stated concerns with the lack of consequences for breaking the Code of Conduct. She suggested that an outside agency should revise the code to ensure accountability.

Councilman Paul Mooney, who was heading the revision to the code, agreed with both council members. He stated that legal troubles have prevented the inclusion of consequences in the past, but he would be willing to continue to work on adding some.

Draft

Mayor Nevill remarked that the difficulty in finding agreement underscored the challenge of defining a code of conduct, which is fluid and subject to opinion. He stated that accountability primarily rests with the voters. The Mayor noted the topic had consumed significant time without resolution and expressed that simpler is better, with actions defining behavior rather than a piece of paper.

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5. Snow Emergency Routes Update

Mr. Cassidy introduced the topic and explained the addition of three streets to the Snow Emergency Routes.

Mr. Cassidy stated that Bear Wallow Drive, East Lee Street, and Waterloo Road would be added to the routes. He explained that these roads provide direct routes from residencies to VDOT classified emergency routes.

Councilman Brett Hamby requested that Keith Street and West Lee Street also be added to these emergency routes, explaining that both the Sheriff's Office and the Fire Department would need these streets to access East Lee Street.

Mr. Hamby also requested Madison Street be added to the route as a quick access point to Falmouth, Douglas, and Curtis Streets.

Mr. Cassidy agreed to look into adding these routes.

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6. An Ordinance approving and authorizing the execution of a Voluntary Settlement Agreement between the Town of Warrenton and Fauquier

Town Attorney Martin Crim introduced the topic, announcing no changes to the draft voluntary settlement agreement released by the Commission on Local Government (COLG). He stated that the next step was for Town Council to receive public comments and then adopt the ordinance. The County would pass the ordinance later that week for action. Once both the County and Town have adopted their ordinances, the agreement with attachments would be submitted to the circuit court for approval by a three-judge panel. This process is anticipated to have an effective date of January 1, 2026, at which point the property would come into town limits.

Councilmen Semple had questions about the "code of development" which would offer three options, and whether the settlement agreement determines which alternative is selected.

Mr. Roy Barnett, Van Meter, stated that Alternative A offers 211 homes and Alternative B offers 270 homes. The only distinction between Alternative A and Alternative B is that Alternative B requires an off-site right-of-way; if unable to obtain, it would revert to Alternative A.

Mr. Barnett confirmed that the off-site right-of-way for Alternative B is under contract, so Alternative B is presumed for all practical purposes.

Councilmen Semple also asked about the schedule for the selection of the three-judge panel.

Mr. Crim stated the panel is appointed by the Virginia Supreme Court, and while he doesn't have an exact timetable, he expects it to be resolved in 2025, possibly within a few months, similar to other localities. He confirmed that the Town and future councils are bound by the terms only upon adjudication by the three-judge panel.

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7. Closed session

As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to legal problems that may arise from discussing and drafting conditions for a Special Use Permit.

Mr. Brett Hamby moved to convene a closed session as permitted by Virginia Code § 2.2-3711 (A)(8).

Councilmember Mooney Seconded. There was no discussion on the motion.

Ayes:	**Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. Paul Mooney**
Nays:	
Abstention:	
Absent:	**Mr. David McGuire; Mr. James Hartman, Vice Mayor**

Upon reconvening at from the closed session, Vice Mayor Hartman moved to adopt the following Certification of Closed meeting:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Councilmember Hamby seconded. There was no discussion on the motion.

The vote for the motion was unanimous, as follows:

Ayes:	**Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. Paul Mooney**

Nays:
Abstention:

Absent: **Mr. David McGuire; Mr. James Hartman, Vice Mayor**

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8. **ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge – The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to Veterans ages 65 and older. The application includes a Small Office/Community Center. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential. The GPINS are 6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930.**

Ms. Harris introduced the topic. She explained that the application seeks to rezone four parcels (approx. 9.8 acres) from R-10 Residential and RO Residential Office to R-PUD Residential Planned Unit Development. The applicants, Warrenton United Methodist Church and Heroes Bridge, propose developing 44 single-occupancy units in 22 attached dwellings for veterans aged 65 and older. The property is designated for medium-density residential in an existing neighborhood outside Plan Warrenton 2040 character districts. Last month, a work session was held where the applicant was asked questions regarding density, open space, the comprehensive plan, by-right density, and proffer language. Application materials remain unchanged, and the applicant was present to answer questions.

Councilman Mooney asked for an overview of what would be allowed by right.

Ms. Harris explained that on the 3.9 acres proposed for residential, 16 single-family residences (10,000 sq ft per lot) would be allowed by right, but due to setbacks and other requirements, it came out to approximately 12 single-family residences. Additionally, the R-10 zoning allows by-right group homes for the physically or mentally handicapped, children 16 or younger, abused adults, and persons aged 65 and older, supervised by resident or non-resident staff. She noted that 12 homes serving 8 people each is correct in their zoning ordinance. Public Works estimated by-right development (12 homes * 8 people * 150 gallons/day/person) would use 14,400 gallons per day, while the proposal for 44 people with the church property is estimated at 7,860 gallons per day. When asked about group home density, it was calculated that 12 group homes with 8 residents each would result in 96 people, potentially doubling the density compared to the proposed 44.

Councilman Semple expressed that he is a veteran and lost a twin brother to Agent Orange, stating he is not "anti-vet." He stated that his primary concern was with the process of using a proffer statement to rezone, bypassing the traditional text amendment process. He argued that a

text amendment would allow the planning commission, Council, and public to determine if reducing an RPUD to a smaller acreage is good policy.

Councilman Semple acknowledged the affordable housing crisis and his past work on the NAACP housing committee, which included proposals for increased density in the central business district that did not pass. He distinguished truly affordable housing (30-40% AMI) from 80% AMI. He noted that group homes, like one he lives next to, offer lower rents ($600/month or less) and could serve more veterans at potentially lower rents.

Jessica Pfeiffer with Walsh, Colucci, Lubeley & Walsh, representing the applicant, stated she had a presentation and could address Councilman Semple's question and discuss group homes.

Ms. Pfeiffer briefly outlined the comprehensive plan's focus on attainable housing, diverse housing options, and walkable communities compatible with existing uses. She highlighted recommendations to set district standards based on form (height and setbacks) rather than density, and that conventional zoning is not compatible with mixed-use, walkable neighborhoods. She stated their proposal aimed to provide affordable housing for elderly veterans while considering the surrounding area's character. She presented the Floor Area Ratio (FAR) for the proposal: 0.19 on the 3.9 acres with housing, significantly less than the permitted maximum of 0.4 in the RPUD, and 0.13 on the entire zoning map area.

Ms. Pfeiffer showed the housing elevation, designed to be consistent with the surrounding area (Moser, Church, Stuyvesant Streets) in terms of one-story height and materials, which is also preferred for elderly veterans. She provided examples of nearby homes on Church Street, Waterloo Street (R-10 zoned), and Moser Street, noting varying lot sizes and setbacks. She also showed homes on Stuyvesant Street, mostly one-story, with varying lot and home sizes. Nearby uses on Sullivan Street include an automotive repair service, an automotive storage lot, and an insurance business. She reiterated that their design attempts to look at the character of the surrounding area while providing larger setbacks than permitted by R-10 zoning (RPUD: front 20 ft, side 15 ft, rear 35 ft vs. R-10: front 20 ft, side 8 ft, rear 20 ft).

Ms. Pfeiffer discussed pedestrian connectivity, noting the proposal includes trails and sidewalks on site with a connection to Moser Road, open to the public, and a missing sidewalk link on Church Street from the church to Sullivan Street. She explained that the non-subdivision of property does not impact integration due to larger setbacks.

Regarding public improvements, she mentioned proffers for affordable housing for veterans 65 and older (Proffer 2, 4), pedestrian improvements (Proffer 2, 10), and lighting (Proffer 8) designed to avoid spillover. She noted that by-right group homes would not include active recreation facilities, a small office/community center (which is for amenities like movie viewing, technology library, arts/crafts, music, pet therapy, fitness room), or a trail with fitness stations, leading to more isolation for veterans. These amenities are provided in Proffer 2b and 7.

She addressed the group home density, reiterating 8 residents per home for 12 homes is 96, plus potential non-resident staff (up to 108 total if 9 per home, which was not in water calculations). She stated that two-story group homes are not ideal for elderly veterans. Group homes would require streets at two locations and a connection to Moser Road, which citizens did not want. She concluded by emphasizing the balance between maintaining neighborhood character and

meeting community needs, especially for the 28 people on the waitlist (ages 67-93), many of whom do not drive and are low income, needing housing with amenities and community.

Councilman Semple clarified that his questions were about proposing a text amendment, not the IPUD. Ms. Pfeiffer stated they didn't go to IPUD due to the comprehensive plan zoning district.

Ms. Pfeiffer added that the comprehensive plan indicates conventional zoning is not the right tool for attainable, walkable housing.

Councilman Semple argued that the comprehensive plan also aims to preserve neighborhoods, particularly R-10 zones. He viewed the current proposal as a review of creating a "pocket PUD" and whether that is good policy for future zoning, separate from the proffer statement, allowing for a broader review consistent with the comprehensive plan.

Mr. Crim stated that creating a precedent is not a concern, as cases are individual, and no two properties are alike. He explained that under Rowland, a proffer statement does not need to relate to underlying zoning, as proffers become part of the zoning ordinance for that parcel. He argued that proffers allow for crafting unique situations without creating universally available text amendments that could be applied elsewhere. He stated that zoning ordinances are "one size fits all" and tend to create "cookie cutter development," whereas proffers allow for unique projects. He noted that localities are not obligated to accept these proffers.

Councilman Semple disagreed, arguing that the approach is disorderly for town zoning and bypasses the opportunity for citizens to have a say in the town's overall vision, which is the council's responsibility. He believed a text amendment as a precursor would be better.

Mr. Crim stated that an advocate's obligation is to propose something different and let decision-makers decide.

Councilman Gagnon recounted discussing the by-right option with neighbors he represents, who stated they would be fine with it as it addresses their concerns about the "radical" nature of the current proposal and its potential negative impact on property values. He noted that the by-right illustration looks like regular houses that would fit in. He assumed neighbors would accept a higher number of residents if built by right, which would be a plus for the organization. He suggested elevators or chair assist devices could address two-story concerns.

Councilman Gagnon emphasized that the primary concern is the project's radical departure from what people are used to, posing a threat to their financial asset (home). He stated that the by-right development could clear away all the opposition. He clarified that the issue is not "pro-veteran, anti-veteran," but about a reasonable dialogue and a form factor acceptable to neighbors. He proposed pursuing a zoning text amendment, involving the new Town Council and integrating it into broader zoning ordinance changes. He wished to avoid an immediate vote that leads to "extreme unhappiness" and noted that neighbors have discussed legal action if the current proposal is passed.

Ms. Sutphin stated that no one should be threatened with legal action before a vote. She argued that the proposal is about "quality over quantity," providing a quality of life for older folks, and that the proposed rents ($1100) are significantly lower than current market rates ($2000+). She stated that some neighbors have been given false information and that changes are needed in

Warrenton and Fauquier County. She thanked Ms. Brooks for her hard work and heart in leading this project for veterans.

Mr. Hamby noted the project's many proposed changes and its journey through planning. He observed a contradiction: while density has been reduced, he questioned if the public would truly prefer a by-right option leading to a small subdivision with over 100 people and higher water/sewer usage. He stated there is a need for this type of housing in town and expressed interest in public input at the evening's public hearing. He asked the applicant if they were interested in the by-right option.

Ms. Pfeiffer responded that the proposal before the Council is the "best option for the veterans." She clarified that in addition to the by-right group homes, the church has a special use permit with no restrictions, allowing for potential expansion to help veterans. She stated that the proposal provides a "village for veterans" with amenities, which is unique.

Mr. Hamby asked if a traffic study had been done for the by-right group home option.

Ms. Pfeiffer stated they did not, but would assume residents would not drive stating that 83% of waitlist do not drive, and traffic could double.

Councilman Gagnon reiterated his respect for Heroes Bridge's work and his military family members. He supported a "strong town's approach" of incremental steps. He noted that the current plan is a significant departure from current zoning. While he would prefer the proposed plan over the by-right option as a neighbor, his biggest issue is the drastic change from 25 acres down to 5 or 6, suggesting a text amendment should have been pursued. He asked if the project could be phased (e.g., 22 units first, then 22 more) to make it less drastic.

Jessica Pfeiffer responded that reducing to 22 units "doesn't pencil," meaning the project would not be financially viable, and essential amenities like the community center, fitness stations, and sidewalk connections, would be lost or stripped away, requiring more fundraising not directly for veterans. She also clarified that the project was submitted in December 2023, prior to the zoning ordinance update kickoff. Molly Brooks added that 44 units are needed, citing a market study showing a need for 368 senior units in the area, and that reducing to 22 units would likely increase rents, making it less affordable.

Councilman Gagnon questioned why, if 300 units are needed, they couldn't start with 22. He reiterated his concern about the drastic departure from current zoning.

Ms. Pfeiffer clarified that an RPUD would be needed regardless, and the reduction in acreage from the RPUD would still occur. She stated that the project is within the density of medium-density residential and the FAR.

Councilman Semple asked about the criteria for RPUD applying to this zoning, noting the RPUD requires at least two dwelling types, while the proposal only has one.

Jessica Pfeiffer explained that after meeting with staff, RPUD was determined to be the best district, as a project like this requires a non-conventional, planned district due to its unique aspects. She stated that while it doesn't have two housing types, the zoning allows this to be addressed in the proffers, and such items can be waived.

Mayor Nevill emphasized that the project has undergone significant improvements based on community input. He argued that if the project went by-right, neighbors would be removed from the process and lose input on building appearance and color schemes. He supported the applicant's efforts to create a compatible design, minimizing impact and reflecting mid-century modern ranch style. He stated that it creates a "church campus village" consistent with existing SUPs.

Mayor Nevill cautioned against unintended consequences of the by-right option and stated that 44 residences are a "drop in the bucket" for the housing need. He stressed the importance of considering community benefit and preventing isolation of seniors

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9. Agenda Review

Mr. Cassidy reviewed the agenda for the evening meeting. He stated there would be three public hearings: a town code amendment to revise sections 4-1, 4-33, and 4-61 property maintenance updates, an ordinance approving the voluntary settlement agreement, and the Warrenton United Methodist Church Heroes Bridge ZMA.

He continued noting that on the consent agenda, there was a Broadview Avenue contractor update, a request from Councilman Hamby for a six-month update, with little to report and staff confirming they are on contract.

Councilman Hamby asked when the turn lane for Waterloo Street would be close to street level, noting it had been dug up for several weeks.

Mr. Cassidy responded that he would have to check the schedule but noted that utility issues, finding unmarked utilities or utilities in unexpected locations, have been the biggest challenge.

Other consent agenda items included council minutes, the BZA resignation of Mr. Kovalik requiring advertisement, the ARB resignation of Mr. Thorson requiring advertisement, and a grievance policy update from Human Capital. He explained that this was administrative cleanup, approved by state and Mr. Crim. He concluded stating that there was an appropriation of VDOT funds for Main Street was on the consent agenda to ensure they don't lose the opportunity to move the project forward this summer.

Mr. Cassidy stated that due to the morning discussion, new and unfinished business were removed from the agenda.

With no further business, this meeting was adjourned at 12:07 PM on Tuesday, December 10th, 2024.

II. REGULAR MEETING - 6:30 PM

The Mayor called the meeting to order at 6:30 pm. All members were present, a quorum was established, and business could be conducted.

INVOCATION.

Chaplain Wally Smith of the Warrenton Police Department led the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Nevill led the pledge of allegiance.

PROCLAMATIONS AND RECOGNITIONS.

Town Manager Frank Cassidy introduced the recognitions for Excellence in Action. He announced new hires:

- Vicky Atkins, permanent technician at the front desk in Community Development.
- Johnny Powers, Traffic Signal Field Technician, certified by the International Municipal Signals Association.
- Lindy Paul, Communications Manager, completed her professional certification in public engagement for local government from the Davenport Institute of Pepperdine University.

Mr. Cassidy also thanked outgoing council members for their service:

- Ward One Council Member, Heather Sutphen.
- Ward Three Council Member, Mr. Brett Hamby.
- Ward Four, Mr. James Hartman.

CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: December 10th, 2024		
Name	**Address**	**Topic**
Clara Tibbs	48 East Shirley Ave.	Sewer / Flooding
Chelsea Greer	48 Shirley Ave.	Sewer/ Flooding
Ginger O'Brien	4692 Bluff Turn, Marshall	Warrenton Parade
John Albertella	360 Culpeper St.	Code Enforcement
Joe Washington	39 Alexandria Pike	Council and Gas

Clara Tibbs, 48 East Shirley Avenue, spoke about ongoing property issues since 2012, including gas fumes that led to her mother's hospitalization when an ambulance couldn't enter due to strong odors. She requested the problem be fixed by the Town Council and the landowner.

Chelsea Greer speaking on behalf of Malcolm Alles, Alles Real Estate, addressed properties at 42, 48, 36, and 32 East Shirley Avenue, regarding long-standing sewage and stormwater backup problems. She stated that the Town installed and later removed backflow prevention valves in 2013 and 2014, deeming them ineffective. She alleged finger-pointing from the Town, including the Mayor blaming the property owner and the Town Manager recommending the installation of valves previously deemed ineffective. Ms. Greer stated that the Town's solution to sewer backups has been to remove caps, letting sewage flow into yards, and then refusing to clean private property. She mentioned that the insurance company, Versa, was reportedly denying claims based on information from the Town that Malcolm All's had altered infrastructure, which she denied. She also claimed the Town notified them to install alarms and pumps in September, which was the first they had heard of it. Ms. Greer concluded that the recurring issue cannot be repaired by backflow valves.

Ginger O'Brien, representing Premier Hospitality and Carlton Schutt, expressed gratitude for another successful season, including First Fridays and the Warrenton Christmas parade. She thanked the special events committee, Lauren Crook, Lieutenant Pierce, John Ward, Hunter Diggs, Johnny Switzer, Kelly Kornick, Chrissy Cooper, Chief Carter, Rob Walton, Frank Cassidy, Mayor Neville, and especially Heroes Bridge as their beneficiary.

John Albertella said goodbye and thanked Ms. Sutphin, Mr. Hamby, and Mr. Hartman for their service, sound votes, and excellent leadership. He then spoke about property maintenance code enforcement, stating that Warrenton Preservation Alliance overwhelmingly supports strengthening the Town's ability to implement active enforcement, especially for saving and restoring significant properties in the historic district. He believed the proposed changes would strengthen the Town's ability to handle difficult situations, requiring meaningful compliance incentives and penalties only in the final stages of due process to protect personal property rights. He concluded that uniformly applied and fairly enforced penalties serve the well-being of the entire community.

Joe Washington, representing First Baptist Church, thanked Councilperson Sutphin, Hamby, and Vice Mayor Hartman, and wished them well. He brought to attention that Columbia Gas found the gas line for the Finlife Center, installed 27 years ago, was not properly installed, and it would require maneuvering and be costly to fix. He noted that it had gone through a building permit process.

APPROVAL OF THE AGENDA.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Vice Mayor Hartman was to approve the agenda as presented.

Seconded by Councilmen Mooney.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent:

The motion passed unanimously; the agenda was approved.

PUBLIC HEARINGS.

A Town Code Amendment to Revise Sections 4-1, 4-33, and 4-61 Property Maintenance

Mr. Hunter Diggs provided an overview. He stated that work sessions were held on September 10th, October 8th, and October 8th to discuss amending Town Code Sections 4-1, 4-33, 4-61, and 4-62. A preamble was added to Section 4-1(A) to ensure staff continues to seek voluntary compliance with all enforcement cases, and to allow staff to impose civil penalties for building code violations and abate unsafe structures.

Councilman Gagnon asked Mr. Crim about the impact of the new ordinance on five properties currently awaiting court action. Mr. Crim replied that it has no retroactive effect but provides additional tools for addressing those properties going forward if needed for safety. He noted that existing violations were being addressed under current ordinances, and Mr. Diggs confirmed there were no particular gaps.

Councilman Gagnon sought clarification if it would act as a stay, and Mr. Crim clarified that existing court actions would continue under existing ordinances, while the amendment provides additional tools.

Councilman Semple expressed concern about property owners in financial distress, noting that raising funds for repairs and paying fines can be difficult. He acknowledged the Town's compassionate approach and the positive impact of enforcement on neighborhoods, particularly in Old Town. He asked if there were parallel efforts to provide resources or direct owners to donations or nonprofits.

The Mayor responded that the Town seeks every possible remedy, particularly in financial distress, by reaching out to contractors and other assistance, with compliance as the goal, not punishment.

Mr. Cassidy added that this ordinance is a "last resort" tool for cases where property owners are uncooperative after lengthy processes, noting that only four out of forty-some property maintenance cases are in court due to efforts on the front side.

Mayor Nevill commented that if one has the financial means for a lawyer, they likely have the means for repair.

The public hearing was opened at 6:54 p.m.

Public Hearing:		
Name	**Address**	**Organization or Individual**
Winston Watt	158 Winchester St.	
Joe Ficarelli	102 Winchester St.	
John Albertella	Culpeper St.	

Winston Watt, 1588 Winchester Street, echoed previous speakers, stating the amendment should be the "exception, not the rule". He noted that a year ago, there were no court cases or many active cases, but through hard work and collaboration, progress has been made, and this amendment will help convey that there are penalties for not maintaining property as a last resort.

Joe Figarelli, 102 Winter Street, as a member of the Warrenton Preservation Alliance, fully supported the amendment. He commended Hunter and Frank for handling "derelict owners" who are "slumlords". He stated that extra tools help enforce against landowners with means to fight the town, preserving history and improving lives.

John Arbatello had already spoken.

No other speakers signed up or wished to address the issue. The public hearing was closed at 6:58 p.m

Motion put forth by Vice Mayor Hartman was to approve the A Town Code Amendment to Revise Sections 4-1, 4-33, and 4-61 Property Maintenance

Seconded by Councilmen Sutphin

Councilman Mooney thanked the group and staff for their work, stating the process worked well. He appreciated the preamble and viewed this as a necessary last step.

Councilman Semple requested the preamble be read and explained.

Mayor Nevill explained that the preamble states it is a last resort.

The Mayor added that property conditions are a top complaint, and the amendment addresses the failure of select property owners to maintain their homes, putting the town in an unfortunate position. He stated it is for the most egregious offenders, not to punish, but to ensure safety and reflect community standards.

Councilman Gagnon echoed support, emphasizing the need for more "teeth" in enforcement and the importance of the preamble to ensure attempts at reasonable solutions before stringent measures. He cautioned against "mission creep" and advocated for judicious enforcement with a

"small town spirit". The Mayor noted that this is a "narrowly scoped" and "surgically precise" solution compared to broader proposals

The vote on the motion was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Abstention:
Absent:

The motion passed unanimously; the Town Code Amendment to Revise Sections 4-1, 4-33, and 4-61 Property Maintenance was approved.

An Ordinance approving and authorizing the execution of a Voluntary Settlement Agreement between the Town of Warrenton and Fauquier

Mr. Crim provided an overview. He stated this matter involves a proposed boundary line adjustment to bring property, including the Arrington development and adjacent parcels, into the town limits. The voluntary settlement agreement (VSA) process was chosen for land use considerations that wouldn't be possible with a simple boundary line adjustment. He noted that the county had a lengthy rezoning process for the property, with development options contingent on it coming into town. If approved by both the Town and County, the next step is for them to petition the circuit court to appoint a three-judge panel which would appointed by the Virginia Supreme Court to decide if the VSA is in the best interest of the town, county, and Commonwealth. If approved, an order would be entered with an effective date presumably of January 1, 2026, and the property would come into town limits. Mr. Crim's explanation answered a question about the timeframe.

The public hearing was opened at 7:07 p.m.

No speakers were present or wished to address the issue. The public hearing was closed at 7:08 p.m..

Public Hearing: Ordinance approving and authorizing the execution of a Voluntary Settlement Agreement between the Town of Warrenton and Fauquier		
Name	**Address**	**Organization or Individual**

Draft

Motion put forth by Vice Mayor Hartman was to approve an Ordinance approving and authorizing the execution of a Voluntary Settlement Agreement between the Town of Warrenton and Fauquier.

Seconded by Councilmen Hamby

Councilman Mooney appreciated the long process and work by staff and the applicant.

The Mayor noted that this property has been discussed for potential annexation for at least 25 years, and this is the first proposal that has satisfied many previous concerns, finally reaching a point beneficial to both the county and town.

Councilman Gagnon inquired about introducing a motion to delay the vote until the January 14th Town Council meeting, to allow the new council to review and "own" the agreement, especially given its impact on water/sewer, infrastructure, finances, and traffic.

Councilmen Gagnon moved to postpone the vote to January 14th. Councilman Semple seconded the motion.

The Mayor responded that while valid, it would be a "disservice" to the current council who have worked on this to deny them the opportunity to conclude their work.

Vice Mayor Hartman agreed, stating he had worked tirelessly for 25 years to make this the best deal for the town, noting the subdivision will be built regardless and will use Town infrastructure.

He emphasized that the boundary line adjustment provides 25 acres for commercial and retail, which will benefit the town. He stated the builder agreed to re-engineer the Brumfield school entrance and help with the sewer lift station for several million dollars. He argued that only "naysayers" are against it, and it's a "win situation" for Warrenton and Fauquier County. He found it a disservice to ask the outgoing council not to vote.

Councilman Mooney echoed these sentiments, noting the applicant's time and effort, and the millions of dollars in benefits offered to citizens through the commercial aspect and pump station repairs.

The Mayor added that failing to move forward would saddle town residents with a $5.4 million responsibility. He stressed the importance of commercial growth to offset residential growth, which is revenue negative, and to generate sales tax for schools and balance the burden on taxpayers. He stated the county is in favor of this and that a seasoned council should make this decision, not burden a novice council.

Councilman Semple asked if the commercial aspect would still be subject to Town overview, which would be the responsibility of the new council, and that commercial traffic might have a greater impact than residential.

The Mayor confirmed that the future council would not be deprived of authority or input on future development.

The vote on the motion to postpone the vote to January 14th, 2025 was as follows:

Ayes: Mr. William Semple; Mr. Eric Gagnon.

Nays: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. David McGuire; Mr. Paul Mooney.

Abstention:

Absent:

The motion to postpone the vote to January 14th, 2025, failed by a vote of 2 to 5. This returned the discussion to the primary motion to approve the VSA.

Councilman Gagnon expressed that based on his conversations with residents, they do not want the expansion. He felt people are mistrustful of town expansion due to concerns about more people, traffic, and strain on water/sewer infrastructure, especially given recent aggressive development. He stated that while the developer, Van Meter, has beautiful designs, people would prefer it as a county development. He questioned the "backward logic" of using a new pump station as a reason to add 270 new homes, and the additional load on the sewer system. He also expressed concern about the unknown impact of the 25-acre commercial area on existing Main Street and Broadview businesses, given changing retail trends and existing stressed shopping centers. He highlighted the "hard stop" at the 3 million gallons per day sewer capacity limit, potentially leading to a $100 million new sewer plant and further growth that could change Warrenton's character.

Councilman Hamby countered by emphasizing that town residents are also county residents, and the Town is the "economic engine" for Fauquier County. He stated that the Taylor pump station needs replacement, and if the VSA is not approved, town residents would be stuck with the $5.4 million bill, not the county. He argued that the VSA, with its commercial component, is a win for the town, county, and Commonwealth, noting it has been discussed for 25 years and all entities are now in agreement. He stressed that commercial growth is necessary for tax revenue to fund schools and offset residential costs.

The Mayor added that commercial revenue is crucial for balancing the rising costs of schools and infrastructure, and Warrenton is the largest driver of sales tax revenue in the county. He also reminded that without the VSA, the town loses the affordable housing component.

Vice Mayor Hartman reiterated that without the VSA, the commercial retail space would be lost to rooftops, and the $100 million for a new plant is "nonsense" and "scare tactics". He noted the proffers for Taylor Middle School and other benefits

The vote on the motion to approve an Ordinance approving and authorizing the execution of a Voluntary Settlement Agreement between the Town of Warrenton and Fauquier was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. David McGuire; Mr. Paul Mooney.

Nays: Mr. Eric Gagnon.

Abstention:
Absent:

The motion passed 6-1

An Ordinance approving and authorizing the execution of a Voluntary Settlement Agreement between the Town of Warrenton and Fauquier was approved.

ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge – The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to Veterans ages 65 and older. The application includes a Small Office/Community Center. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential. The GPINS are 6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930.

Ms. Harris provided a brief overview, noting the two work sessions and Planning Commission's work on the application.

Mr. John Foote, with Walsh, Colucci, Lubeley & Walsh, representing Heroes Bridge, presented. He acknowledged the previous Planning Commission sessions and council work sessions. He described the property location at Warrenton United Methodist Church. He indicated the property is zoned R-10 and planned for medium-density residential, with commercial planning along the Broadview section.

Mr. Foote described the planned layout of 22 units with two homes each, totaling 44 units, for aging veterans 65 and older. He showed an illustrative elevation of the dwelling units as "standard home-like" duplexes with kitchens, bedrooms, and bathrooms for single occupants. He discussed pedestrian access, showing paths from the far corner through the property and to Broadview using existing and constructed sidewalks. He reiterated commitments for affordable housing for veterans 65 and older, pedestrian improvements, and on-site lighting to prevent spillover. Amenities include a movie viewing area, senior technology library, arts and crafts area, music area, pet therapy, and a fitness room. Outdoor amenities include walking trails, fitness trail signage, a gazebo, and an existing flagstone garden. Mr. Foote showed examples of fitness stations.

He confirmed a commitment to veterans housing and discussed transportation, noting 83% of residents on the waitlist do not own cars, and a 12-person shuttle bus would be provided for shopping and appointments. He addressed the succession planning proffer, stating it ensures the property is maintained in good, safe, and livable condition if Heroes Bridge ceases to operate, a unique commitment compared to other zoned properties.

Mr. Foote addressed the question of 22 units versus 44, stating that 22 units are neither financially nor practically feasible, as it would mean only half of the trail system and pedestrian

improvements, with no certainty of approval for the second phase. He presented the by-right option of 12 single-family homes (group homes) allowed in the R-10 district, which could house up to 8 persons plus staff (96-105 people). He noted this is not ideal but would permit Heroes Bridge to serve more residents. This by-right option would result in five new cut-ins on streets, no designated parking beyond houses (potentially leading to street parking), and increased demand on public services like trash pickup and water/sewer. Mr. Foote respectfully requested approval for the application as presented.

Mr. Hamby asked Mr. Foote to clarify "additional parking" with regard to the by-right option. Mr. Foote explained it could mean on-road parking due to more people and staff coming and going without a shuttle bus, and that the individual units in the by-right scenario haven't been designed with adequate parking, leading to the assumption of potential street parking.

The public hearing was opened at 8:06pm

Public Hearing: ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge		
Name	**Address**	**Organization or Individual**
Michael Gimble	4502 Cantors Run Rd.	
William Benner	9476 Withers Hill	
Suzanne Corbett	295 Robeling St.	
Don Bromley	320 Church St.	
Judson Walls	6744 Carter Ct.	
Randy West	10500 Hume Road,	
Rachel Moore	216 Fairfield Dr.	
Nancy Gatty	306 Church St.	
Nancy Evert	249 Saphire Ct.	
Chip Carson	5347 Wade Ct.	
Holly Hartman	5610 Wilshire Ct.	
Graham Sheffield	197 Waterloo St.	
Larry Davies	7815 General Wright	
Brian Schires	5945 Bowes Creek Pl	
Terri Church	306 Stuyvesant St.	

Draft

Asia Connor	5176 Casanova Rd.	
Ken Bresson	6256 Mint Springs Dr.	
Wayne Harne	10436	
John Leninsky	111 Turnstone Ln Lake Frederick	
Phil Lasky	3605 Sutherland Ct. 20187	
Greg Schumacher	4117 Kings Chase Ln. The Plains	
Ana Couls	8255 Lees Ridge Rd.	
Jennifer Costes	9178 Hanna Austin Ln.	
Cindy Ellis	560 Solgrove Rd.	
Helen Worst	326 Falmouth St.	
Jack Nash	41035 Rolling Pasture Ln.	
Laura Martin- Spetter	5501 Merchants View Sq.	
Geoff Spetter	5501 Merchants View Sq.	
Kay Finnerty	5529 Dumfries Rd.	
Cindy Hendricks	6335 Mayfield Ln.	
Hearlie Hendricks	6355 Mayfield Ln.	
Mark Rozak	709 Starting Place Ct.	
Linda Rozak	709 Starting Place Ct.	
Mark Willemsen	9651 Woodbrook Ln.	
Joe Ficarelli	102 Winchester St.	
Bruce Campbell	156 Menlough Dr.	
Jan Selbo	178 Main St.	
Louis McDonald	7205 Princess Anne Ct.	
Molly Newman	131 Moser Rd.	

Draft

Josaphine Gilbert	Scott District	
Charles Robinson	7812 Trafalgar Pl.	
Melanie Burch	98 Alexandria Pike	
Mark Harvey	Catlett	
Eric Mayback	150 John E. Mann St.	
Sarah Newton	7701 Morvern Ln.	
Alice Gorton West.	Scott District	
Tricia Goodwin	4264 Moonlight Ct.	
Jan Callahan	4303 Holly Springs Rd.	

Michael Gimbel, a 75-year-old Vietnam veteran and recipient of Heroes Bridge's services, expressed strong support, stating Heroes Bridge transported him 17 times for VA appointments and helped him overcome insurmountable problems. He stated that not approving the housing project would be "terrible" and that veterans need protection now.

Bill Benner, 9476 Withers Hill Way, Warrenton, a military retiree and Heroes Bridge volunteer, spoke in support. He highlighted common issues among vets: social isolation, inability to drive to appointments and grocery stores, and concern about remaining in their current living environment. He addressed concerns about PTSD, stating it's slightly more common in military (7%) than general population (6%), but many vets with PTSD are undetectable unless they disclose it, calling it a "red herring". He advocated for an inclusive community where younger generations interact with elderly veterans.

Suzanne Corbett, Ward 5, Warrenton, supported the Heroes Bridge rezoning request. She found it "appalling" that people wouldn't support a project for veterans who sacrificed for the country. She stated the Town could be a model for affordable and supportive housing for veterans nationwide. She highlighted the importance of good regional planning, directing growth into service districts like Warrenton. Stated she would be honored to have these veterans as neighbors.

Don Bromley, 320 Church Street, Warrenton, argued the decision should be based on facts, not emotions. He stated it is low-income housing, not strictly veterans housing (which he claimed is against state law). He argued the project is high-density, will bring high traffic, and does not meet RPUD minimums (9.864 acres vs. 25-acre minimum, only one dwelling type vs. two required, no recreational facility requirement). He warned of a precedent for zoning changes across the state and a potential lawsuit against the town. He stated the by-right option could be built and is supported by neighbors without changing zoning. He urged denial of the proposal and encouraged Heroes Bridge to pursue a by-right plan.

Judson Walls, 6744 Carter Court, Scott District (Fauquier County), founder and CEO of Constant Water LLC (disabled veteran-owned small business), wholeheartedly supported Heroes Bridge Village. He emphasized the void filled by organizations like Heroes Bridge due to federal and local agencies failing to provide benefits to disabled veterans. He stated that the 22 buildings and 44 units would not strain utilities or services, given the 700+ homes/apartments approved in 2024. He urged the council to approve and leave a legacy of supporting disabled veterans.

Randy West, 10500 Hume Road, Fauquier County, a former marine and volunteer with veteran organizations, emphasized the problem of safe and affordable housing for wounded, disabled, and elderly veterans on low incomes. He saluted Heroes Bridge and the Methodist Church for addressing this problem for 44 families.

Rachel Moore, 216 Fairfield, Warrenton, a proud supporter of Heroes Bridge Village with 15+ years in senior housing, highlighted the dire lack of affordable senior housing. She spoke of seniors having to choose between medication and housing, and families depleting savings. She stated Heroes Bridge Village is more than housing; it's a lifeline and community.

Nancy Gatty, 306 Church Street, spoke in opposition, stating three minutes was not enough time and she had emailed a letter. She clarified that neighbors are not against veterans. She argued the development on less than four acres is high density and not a good fit for the established neighborhood, as it's not zoned for this type of development. She mentioned alternative solutions meeting zoning regulations. She stated the veterans-only stipulation was removed, and based on interviews, lawsuits are "inevitable". She noted recent changes and "red flags". She asked the Council to deny the request and send it back to the drawing board for a community-fitting development built to regulations.

Nancy Everett, 249 Sapphire Court, urged the Council to "say yes" to the proposal, stating everything asked of Heroes Bridge has been addressed.

Chip Carson, 5347 Wade Court, Warrenton, a consulting engineer and member of Warrenton United Methodist Church, explained the church's internal review and decision to use their property for community service. They narrowed suggestions to elderly housing or childcare, and partnered with Heroes Bridge after Molly Brooks explained their plan for independent living for veterans 65 and older. He stated the project fits the church's vision to serve the community and addresses the need for housing and resources.

Holly Hartman, 5610 Wilshire Court, a Girl Scout leader, band mom, PTO president, and wife of a retired combat vet, spoke of homeless or near-homeless veterans who lack food or safe housing. She emphasized showing support for veterans who have sacrificed, especially older veterans with health issues and lacking family support. She urged the Council not to delay, as "these people cannot wait".

Graham Sheffield, 197 Waterloo Street, a Marine Corps veteran, supported the proposal. He stated that the community needs affordable housing and is failing its vulnerable members. He noted that initial opposition "by disparaging veterans" is now denied, but the public record speaks for itself. He emphasized that Heroes Bridge Village offers comprehensive solutions (transportation, nutrition, community) beyond just housing, significantly improving quality of life.

Draft

He stated that healthy towns are dynamic and evolve to meet community needs, and this project represents "controlled growth". He called the project a "unicorn," providing the only existing safe, suitable housing for elderly veterans facing homelessness.

Larry Davies, Pastor of Warrenton United Methodist Church, stated the church's long involvement in mission, serving meals to people in hotels (many veterans). He believed Heroes Bridge offers an opportunity to make a real difference and create a community where veterans help the community. He stated they listened to the community in designing the footprint, and dismissed traffic concerns as their preschool generates more car traffic. He warned that if denied, they would consider a "less popular" use for the land.

Brian Shires, 5945 Bowes Creek Place, Gainesville (Prince William County), Chairman of the Creekside Regency at Creekside Armed Forces Veterans Club, spoke in support. His club of 51 veterans (8 Vietnam vets) supports aging veterans. After a presentation by Molly Brooks, all 51 members voted to support Heroes Bridge's concept and proposal, pledging to buy TVs, beds, and furniture for the facility.

Terri Church, 306 Stuyvesant Street, Ward 5, Warrenton, whose backyard is adjacent to the project, supported it. Citing an Urban Institute study on affordable housing in Alexandria, she stated it's associated with "a small but statistically significant increase in property values" and that crime rates fell with such developments. She stated these veterans would be "good neighbors" and urged approval.

Asia Connor, 5176 Casanova Road, Fauquier County, a nurse who has worked with veterans, supported the need for a veterans village. She described aging heroes enduring silent struggles: inadequate housing, lack of basic needs, isolation, and inability to access medical appointments or afford groceries. She stated military service leaves invisible scars, leading to chronic illnesses and struggles exacerbated by loss or retirement. She emphasized the urgent necessity of Heroes Bridge Village as a safe, stable environment for care, companionship, and support.

Ken Bresson, just outside Warrenton, member of Warrenton United Methodist Church, supported Heroes Bridge Village. He has family members who are veterans and town residents. He noted the by-right development option (group homes, two stories, added streets) would have a greater impact on property values than the proposed patio-style homes. He argued for providing safe, dignified homes and services for veterans who lack resources.

Wayne Harne, Lee District, Fauquier County, supported Heroes Bridge. He served in the Army Reserves and Department of Defense, and his family has a strong military background. He stressed the need to continue assisting military veterans and that Warrenton, Fauquier County, and Virginia should be committed to appreciating veterans.

John Leninsky Aldie, a veteran and Heroes Bridge board member, supported the project. Having served on the Rappahannock County School Board and Board of Supervisors, he called the vote a "legacy vote" that shapes the community and requires "personal courage". He urged the council not to "shrink from a legacy vote" or be intimidated by lawsuits, stating the project makes Warrenton stronger.

Phil Kaskey, Bent Hill, a Heroes Bridge volunteer, spoke about Peter, an aging veteran on Agent Orange who lived in Moffett Manor with a $1100 rent on a $1200 Social Security income. He emphasized that Peter, like many other older vets, needed a "lifting hand" and would have benefited from the comfort and community of Heroes Bridge Village. He urged the board to vote to make this reality.

Greg Schumacher, The Plains, supported the project, calling it a "unique opportunity" due to the need for veterans, the church's vision for good stewardship, and the partnership with Heroes Bridge. He called the by-right counter proposal a "terrible plan". He stated the proposed plan is a "tremendous opportunity" for veterans, organizations, and the community. He reiterated the legacy aspect and stated it's "not a difficult decision at all" to make an exception to zoning for a worthy cause.

Ana Couls, Warrenton (member of Warrenton United Methodist Church), supported the project. She cited her father (WWII veteran), husband (Air Force flight surgeon), and son (disabled retired nuclear submarine commander) as veterans, and a grandson entering the Air Force Academy. She emphasized the church's commitment to supporting these people daily. She called it a "huge opportunity to do something to make Warrenton a place on the map".

Jennifer Costes, Fauquier County (Cedar Run District), supported the development, noting it's a "small, affordable housing development that people say they want, but just not there". She emphasized placing such developments in town for access to critical services. She urged the council to "put our money where our mouth is" and provide for vulnerable veterans, stating they deserve dignity and affordable housing.

Cindy Ellis, 560 Soul Grove Road, Warrenton (Ward 5), a long-time member of Warrenton United Methodist Church, supported Heroes Bridge. She stated the need for affordable senior housing is undeniable. She highlighted Heroes Bridge and the church's willingness to work with the town and community, making updates to meet concerns. She spoke of increased demand for food and housing, with Thanksgiving meal deliveries increasing 30% from last year, and children's stocking stuffer requests doubling. She stated people are sleeping in cars and have strong community ties even without permanent addresses. She called the Church Street location perfect for low-income housing and companionship, with bus trips for residents who don't drive and proximity to the church as a community hub.

Helen Worst, 326 Falmouth Street, thanked Councilman Hamby for his service. She shared her family's history in Warrenton and the United Methodist Church. She recounted a WWII story where her grandparents opened their home to four soldiers, demonstrating the community's history of serving soldiers. She urged approval, stating it's a "small thing to ask" for those who gave so much, and that the town should continue to be a loving and generous community.

Jack Nash, Aldie, a 23-year Navy veteran and retired physician, urged approval. He highlighted the "appalling statistic" that 15 homeless veterans die daily, and that this project could impact that. He discussed the VA's shortcomings in outreach to homeless veterans and how housing can impact health outcomes, citing a San Diego VA experiment where providing food, shelter, and medicine in a tent city dramatically improved health.

Laura Martin-Spetter, Haymarket (Virginia) and Maryland, a combat veteran and Air Force veteran, addressed a comment about non-residents speaking, stating she served under the US flag, not a state flag. She described the challenges faced by aging veterans, even those with family support, leading to nursing home placement when caregivers are overwhelmed. She questioned why Veterans Affairs (VA) isn't doing its job, necessitating charities like Heroes Bridge. She urged the Council to approve and be a "shining example" for other communities. She highlighted the difficulty in getting transportation for veterans like Clifford, who makes $1300/month but recently spent $1600 on car repairs. She urged the council not to say it's "not about veterans" and asked veterans in the room to raise their hands.

Kate Finnerty, 5529 Dumfries Road, Parkview (resident since 1971), supported the Heroes Bridge Village. She questioned the Planning Commission's decision to approve a for-profit 390-unit project but disapprove a non-profit for veterans. She emphasized the debt owed to veterans and the "sin" of elderly homeless veterans.

Cindy Hendricks, Warrenton, whose disabled senior Vietnam veteran husband was helped by Heroes Bridge, spoke emotionally in support, emphasizing the organization's dedication and the need for their services in the community.

Charlie Andrews, a Vietnam veteran, spoke briefly about his service and support for all military soldiers, giving them "the praise that I went through".

Mark Rozack, 709 Starting Point Court, Warrenton, a Navy retired disabled veteran, fully supported Heroes Bridge. He highlighted the unaffordability of housing for veterans like Clifford (making $1300/month, cheapest rent $1600/month). He stated that the argument against a non-profit zoning doesn't make sense. He emphasized the opportunity for 44 individuals to have a social, comfortable, healthy life, noting that younger veterans he served with died due to homelessness and lack of access.

Linda Rozak, Haymarket, speaking for her therapy dog Honey Bunny (who is paralyzed), highlighted the tragic statistic of a 9% increase in veteran suicide rates since 2022, urging Warrenton to help keep that number down.

Mark Williamson, 9651 Woodbrook Lane, Midland (Fauquier County), a realtor and retired Master Sergeant (20 years service), stated that he would not qualify to live in Warrenton based on the "three times rule" (rent must be 1/3 of income) and his $1600/month retirement pay, when the lowest rental is $1600/month. He emphasized the need for more affordable housing and rentals for the community, workforce, seniors, and veterans. He urged approval, stating the Town helps people, and Heroes Bridge is needed.

Joe Ficarelli, 102 Winchester Street, noted that 30 people plus one dog spoke for Heroes Bridge, and only two against, suggesting little community opposition. He stated that a petition with 1400 signatures for Heroes Bridge was ignored while one with 80 signatures against it was sent out. He argued the proposed density is smaller than by-right. He stated that group homes are not how senior veterans should live, and elevators for multi-level living are too expensive. He called Heroes Bridge the "perfect answer" and challenged opposing veterans to volunteer.

Draft

Bruce Campbell, 156 Menlough Dr., Warrenton, a Vietnam combat vet and retired Navy, actively involved with veterans organizations, stated Heroes Bridge Veterans Village aligns with VA strategy to improve attainable housing. He cited data on veteran population growth in Virginia (8.6% in rural counties), increasing enrollment in VA homeless and housing programs (53% increase for 66+ since 2019), and new care centers. He stated the project provides "missing middle housing" per Plan Warrenton 2040 and offers benefits like improved health outcomes, reduced homelessness, and economic benefits.

Jan Selbo, 178 Main Street, Warrenton (32 years resident), supported the adoption due to the desperate need for affordable and rental housing, and the current imbalance of 90% single-family housing. She noted neighborhood concerns about "change" but that her own property value never decreased despite nearby rentals and ADUs. She recounted Molly Brooks stating two vets died on the waiting list, one being her inaccessible neighbor who died after a fall.

Louis McDonald, 7205 Princess Anne Court, Warrenton, Chairman of the Warrenton United Methodist Church leadership team, stated the initiative aligns with their church mission to use land for meaningful purposes, supporting senior veterans with affordable housing and compassionate service. He acknowledged that if denied, the by-right development (12 large group homes, 8 residents each, 96 people) would be a "less desirable alternative". He found it "perplexing" that density doesn't include people in the equation. He emphasized cultivating authentic relationships, community events, companionship, and spiritual care. He stated the project aligns with Methodist principles of social justice and caring for the vulnerable.

Chris Gaddy, 306 Church Street, read a statement from **Molly Newman**, 131 Moser Road (adjacent to the church). Ms. Newman urged denial due to zoning issues, citing the Planning Commission's rejection and their focus on long-term impacts. She expressed concern about the lack of a viable financial plan, relying on uncertain donations, and the potential for insolvency leaving an "eyesore". She questioned who would pay if residents couldn't pay rent, and if they would be evicted. She noted Heroes Bridge's own accounting shows traffic would increase fivefold, and Church Street sidewalk and lack of Moser Road sidewalk are insufficient given Moser Road's narrowness. She stated the project is "the right project just in the wrong place," with zoning and environmental issues, and improper financial backing. She reiterated that neighbors are not "anti-veteran".

Josephine Gilbert, New Baltimore (Scott District), stated that over 32,000 people over 65 in the region will double by 2050, and finding affordable rentals is a challenge. She emphasized that older adults want to remain independent with proper support (transportation, nutrition, social engagement). She stated livable communities include mixed-use zoning, varied transportation, and diverse housing types. She called Heroes Bridge housing an "innovative approach" supporting community needs for older adults.

Charles Robinson, 7812 Trafalgar Place, Warrenton, Chairman of the board for Fauquier Rappahannock Habitat for Humanity, supported Heroes Bridge. He challenged the notion of "low income housing" and "right project in the wrong place" as "code words" for "we don't want you in our neighborhood," which he found offensive. He urged council members to vote "yes" for Heroes Bridge, reflecting "thank you for your service".

DRAFT

Melanie Birch, CEO of Habitat for Humanity, 98 Alexandria Pike, Warrenton, commended speakers and stated by-right could add three times the density. She corrected the claim that veterans housing is illegal, stating it's legal in Virginia. She stated "white papers" show it does not reduce home values, and urged Councilman Gagnon to read them. She supported Molly Brooks in building 44 homes, noting it's a "drop in the bucket" for the massive housing issue in 20186. She defined "low income" as a family of four making $94,800. She stated it's a crisis for everyone working on Main Street, and if changes aren't made, the town will "age everybody out" and lack services. She urged against using "radical" or "threat" to describe housing for other people.

Mark Harvey, Catlett, operates First Light Home Care in Warrenton, providing care for 108 families (68 in Fauquier County). He spoke of families facing loss of homes and diminished life expectancy, and being on suicide watch in hospitals, which affects even non-veterans. He supported Heroes Bridge for making a difference, being "competent, purposeful, and ethical".

Eric Maybach, Ward 5, expressed "supreme support". His sisters (Dr. Nita Maybach and Julie Royal) committed to providing medical services. He stated constituents have "overwhelmingly said they want to make this exception". He shared his experience caring for an elderly parent and urged the council to consider whether they would want themselves or their parents in a group setting versus an option with dignity and independence. He stated he has five votes in support of the project.

Sarah Newton, 7701 Morvern Ln. Warrenton (outside town limits, wishes to be annexed), CEO (Church Executive of Operations) at Warrenton United Methodist Church, a proud daughter of veterans. As a single parent, she was denied affordable housing in Warrenton due to not meeting income requirements and not having a co-signer. She works at the church and will be there to support the senior veterans. She implored the council to search their hearts for this "calling" and "legacy".

Alice West, Scott District (former town resident), former treasurer of Warrenton United Methodist Church (24 years), reminded the council the church is 206 years old and will continue to support the project for future generations. She urged them to be "brave" and grant this "unicorn" exception.

Trisha Goodwin, Bent Hill (former town resident), emphasized the "huge crisis" for low-income housing in the county and strongly supported the project. She stated the community owes it to seniors and veterans. She recounted her disabled senior mother being denied services and having to move in with them, then to Florida. She urged the council to approve the waiver for density to allow independent living.

J**an Callahan**, stated they were an army brat who raised two marines, a former Warrenton resident, noted everyone's good points and that council members came prepared to vote a certain way. She urged them to do what their constituents want and make this happen as a legacy.

The public hearing was called to a close at 10:15 p.m.

Councilman Hamby moved that the Town approves the ZMA 2023-01 Warrenton United Methodist Church Heroes Bridge. Councilman McGuire seconded the motion.

Draft

Councilman Semple, explained his opposition. He expressed sympathy for veterans, especially from the Vietnam era who were not appreciated then. His concern stemmed from the Virginia Supreme Court ruling in *Rowland versus Warrenton*, which involved proffers. He argued proffers should be for community protection, not dictating rezoning terms and rendering underlying zoning irrelevant, which he believed leads to "episodic" zoning. He stated that while he likes the project, his concern is its impact on future zoning throughout the town, potentially affecting every neighborhood.

Councilman Gagnon thanked speakers for their sincere statements. He stated that as the Ward 5 representative, he represented all constituents, including those opposing the project, acknowledging their unpopular stance. He stated that while most would want a veterans' facility, they might react differently if it's right across the street. He defined radical departure as something highly unconventional and different from what homeowners expect, supported by Strong Towns philosophy of incremental change. He cited concerns about high density, property values and the chaotic state of zoning due to the *Rowland v. Warrenton* decision. He specifically criticized the mismatch of using an RPUD (minimum 25 acres) for a 3.9-acre usable land area, calling it a radical departure. He warned of precedent for other projects lacking noble cause. He acknowledged the "breakthrough" of the by-right option and questioned if it's fair to roll over neighbors who are fine with it.

Councilman McGuire emphasized being "our brother's keeper" and Isaiah's command to "be strong and not afraid". He spoke of his family's military service, including an uncle who was a WWII POW and tortured. He argued that property values wouldn't exist without such people and found it "preposterous" to give millions to others while not honoring those who served. He urged unanimous support, stating veterans "care about everybody else".

Councilman Mooney, speaking about his personal connection to Warrenton, appreciated the diverse views. He stated he was a Marine with family in service, affirmed veterans' care as a high priority. He acknowledged legitimate arguments from opponents and the radical change or significant departure from the zoning ordinance. He supported a major overhaul of the zoning ordinance but questioned approving a project that is "75% different" and uses less than 5 acres when it should be 25. He suggested incremental growth but noted financial infeasibility. He expressed desire for all 300 vets in the county to have homes. He supported looking comprehensively at the zoning ordinance for housing needs and crafting changes. He felt the system is somewhat broken if the Planning Commission denies and the applicant returns with a plan that doesn't fit the scale. He questioned if there's a better location and emphasized the implications for future generations. He recognized the need to amend rules.

The Mayor highlighted the lack of affordable and attainable housing stock and urged action, as people are living in under house situations and unhealthy situations, which is appalling for veterans. He stated the need to address the crisis caused by zoning favoring single-family homes, which alienates young people and limits housing diversity. He stressed the importance of the "village" concept for community, extending and improving lives, and providing walkable access to businesses and amenities. He argued that defining density by people makes this a small scale project consistent with the neighborhood. He urged unanimous adoption based on community need, especially for at-risk veterans.

Mr. Hamby stated that the by-right option is way more intense than the current proposal, which he supports. He noted that while the technicalities of zoning are debated, the project has gone through the entire process. He argued that Warrenton chases away affordable housing opportunities and needs to start taking advantage of them. He stated that the current situation leads to young people leaving town and declining school populations.

Ms. Sutphin thanked everyone for their service and for speaking. She listed positive words used: dedication, modification, opportunity, shining example, unicorn, visionary, worthy, loving, generous, advancements, bravery. She acknowledged that people fought for the right to be disrespectful and have opinions, even if not true or agreed upon. She stated this is a "very good opportunity" for Warrenton.

Councilman Semple clarified his stance as an advocate for affordable housing, citing his past proposals and support for the Strong Towns theory, confirming he believes affordable housing is a critical need.

The motion passed by a vote of 5 to 2. (Councilman McGuire - Aye, Councilman Gagnon - No, Vice Mayor Hartman - Aye, Councilman Hamby - Aye, Councilman Semple - Nay, Councilwoman Sutphin - Yes, Councilman Mooney - Yes). The ZMA 2023-01 was approved

Motion put forth by Councilmen Hamby was to Approve ZMA 2023-01.

Seconded by Councilmen McGuire

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. David McGuire; Mr. Paul Mooney.

Nays: Mr. William Semple; Mr. Eric Gagnon.

Abstention:
Absent:

The motion passed 5-2

ZMA 2023-01 was approved.

The meeting paused for a five-minute recess and reconvened at 11:02 p.m.

CONSENT AGENDA.

Broadview Avenue Contractor Update

Draft

Approval of Town Council Meeting Minutes

July 9th, 2024, Regular Town Council meeting.

Board of Zoning Appeals Resignation- Advertisement Request

Architectural Review Board Resignation- Advertisement Request

Grievance Policy Update

Appropriation of VDOT Funds for Main St. Improvements

Motion put forth by Councilmen Hamby was to approve the Consent Agenda as presented.

Seconded by Vice Mayor Hartman

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:
Absent:

The motion passed unanimously; the Consent Agenda was approved.

NEW BUSINESS.

There was no new business.

UNFINISHED BUSINESS.

There was no unfinished business.

TOWN ATTORNEY'S REPORT.

Mr. Crim provided updates on litigation:

- The Citizens for Fauquier County case appeal is pending at the Virginia Supreme Court, with technical details in the petition addressed earlier this month.
- Discovery is continuing in the Cross matter (Amazon data center).

Draft

- He conducted an orientation with the three new incoming council members on December 4th, which he stated was very productive.
- The Joint Legislative Audit and Review Commission (JLARC) released a report on data centers yesterday, recommending addressing noise concerns in zoning ordinances and having sound modeling studies, which the Town has already done, putting them "ahead of the curve"

TOWN MANAGER'S REPORT.

Mr. Cassidy stated he sent out the JLARC study link. He expressed it was a privilege working with Ms. Sutphin, Mr. Hamby, and Mr. Hartman, wishing them well. He joked about Army-Navy rivalry for the holidays. He thanked volunteers for the Christmas parade and looked forward to next year.

COUNCILMEMBERS TIME.

The Mayor afforded outgoing council members the chance to speak last.

Councilmen Mooney- thanked everyone for coming, noting the parade was a success, and wished everyone a Merry Christmas.

Councilmen Semple wished everyone a Merry Christmas, Happy New Year, and happy holiday season, and wished his former colleagues good luck.

Councilmen Gagnon- wished everyone Merry Christmas, Happy New Year, Happy Holiday, and best of luck to departing council members, looking forward to next year.

Councilmen McGuire- thanked Heather, Brett, and Jimmy for their service, appreciated their wise counsel, and stated they would be missed. He acknowledged the difficulty of public service.

Mayor Nevill- thanked all speakers for a model example of what a public hearing should be, noting their thoughtful, reasoned, and logical comments, and the civility and respect shown. He thanked Christmas parade volunteers and all who attended the fabulous evening. He personally thanked Councilman Hamby, Councilwoman Sutphen, and Vice Mayor Hartman, stating it was an honor to serve with them. He commended their courage and thought in facing challenges and helping the town embrace change, making the town better for their service.

Councilmen Sutphin- thanked everyone for coming, stated it was an honor to serve the town, and that she learned a lot about herself and her strength. She thanked Councilman Hartman, the Mayor, and Councilman Hamby for their bravery and what she learned from them. She stated she would continue to be involved in town meetings.

Draft

Vice Mayor Hartman-reflected on starting his time on Council during COVID with empty rooms, and how things changed when people showed up. He called his time on Council a wonderful and positive experience. He clarified that he stepped off council for health reasons and not due to Amazon or intimidation, stating this was a narrative he wanted to correct. He thanked everyone for allowing him to serve.

Councilmen Hamby- reflected on his ten years in town government with two on the Planning Commission, and eight on council. He clarified he is not leaving due to Amazon or intimidation, and he was only ever going to serve two terms. He noted the town's improvements during his tenure, including digitizing records, fleet improvements, and consolidating offices into a new town hall. He appreciated the civil crowd tonight. He stated he would miss it and wished good luck to the new council, urging them not to raise taxes.

ADJOURNMENT.

With no further business, this meeting was adjourned at 11:18 PM on Tuesday, December 10th, 2024.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on December 10th, 2024.

Stephen M. Clough
Town Recorder

Attachments:

1) Handouts to Council from Citizen's time. December 10th, 2024.
2) Citizen Comment Emails and form submissions.
3) Signed legislation.

Draft

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

December 10th 2024, Regular Town Council Meeting Minutes

Attachment 1: Citizen Comment Emails and form submissions.

Draft

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com" <noreply@civicplus.com>
Sent: 21 Nov 2024 20:10:51 -0600
To: """ <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

Public Comment

Name	Anonymous
Address	*Field not completed.*
City	Culpeper
State	Va
Zip Code	22701
Email Address	B2b620@yahoo.com
Phone Number	*Field not completed.*
Committee, Board, or Commission Type	Town Council
Agenda Item	Street lights on Shirley Avenue
Comment	Drove to Warrenton for dinner at Longhorn on Monday the 18th of November, and couldn't help but count 11 street lights out from Country Chevrolet to Wawa at the intersection of Shirley and Rt 211. You are aware that you as a town pay for these lights whether they are working or not. And it only takes a phone call to Dominion with the pole number to get a service ticket started and they are usually fixed within a day or two. It was raining that night and was very hard to see the faded markings on the road especially with 11 lights out along the way.

Email not displaying correctly? View it in your browser.

Draft

From: "Diana Pullin" <dnurse964@yahoo.com>
Sent: Tue, 3 Dec 2024 15:52:58 +0000 (UTC)
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Cc: "[redacted]" <[redacted]>
Subject: Hero's Bridge Village

You don't often get email from dnurse964@yahoo.com. Learn why this is important

I want to express my support for the Hero's Bridge Village in Warrenton. This small village would enhance to lives of our veterans and provide an affordable housing option which is currently severely lacking for those on a fixed income. This Village will provide not only affordable housing but will also exist to provide much needed support for our veteran's who gave of themselves for our freedoms.

A Village concept is well documented in research as being an effective tool in promoting both support and socialization. The experiences that are veterans have endured are unlike those of others in the community.

The comprehensive plan for Warrenton supports this type of housing development, and this type of project fulfills a portion of that plan. Providing affordable housing for those in needs and to support a population that is diverse in their life experiences. Our senior population faces many challenges in today's economy and are often faced with the challenge of paying rent to have housing or buying food. Having an affordable housing is essential. Having a safe and stable home is a basic human need based on Maslow's Hierarchy of needs and is on the most basic level of human needs: Safety and Security.

I strongly encourage the Town Council to approve this Village and to support the veterans who need it. Our veterans deserve to have their basic needs met.

Diana Ayscue,RN

Draft

From: "Debbie Werling" <debbie@gprealtors.net>
Sent: Wed, 4 Dec 2024 19:08:40 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Cc: "[redacted]" <[redacted]>
Subject: Support for the Hero's Bridge Village

You don't often get email from debbie@gprealtors.net. Learn why this is important

Town Council Members,

I'm writing to you with support for the Hero's Bridge Village. In addition to hearing early concerns about these efforts violating Fair Housing laws – I hope you have gained factual information that shows there are several other "Veteran's only Housing" facilities throughout Virginia, and that Veterans are a protected class in Virigina so no Fair Housing laws would be violated.

Additionally,

- **Data suggests that renters in Warrenton are more cost burdened than Virginia renters overall, and recent market data shows it is likely getting worse.** According to the U.S. Census Bureau's American Community Survey, more than half of renter households in Warrenton (52%) are paying 30% or more of their income on rent compared to 44% of Virginia renter households (ACS, 2022 5-yr). The average asking rent in Warrenton in the second quarter of 2024 was $1,310, which is up 19% from the second quarter three years ago. This rent level is an average for all unit types and sizes. Larger units, those with 3 bedrooms go for more than $1,800 on average (Costar). For context, to afford the average monthly rent of $1,310, a household would need to have a minimum annual income of $52,500. About 1 out of every 4 households (26.7%) in Warrenton have an annual income of less than $50,000 (ACS, 2022 5-yr). This suggests that renters in the town are struggling to afford a place and that rent levels have risen rapidly in recent years, exacerbating the affordability issues.

- **Rental housing stock in the town is limited, and the units that are out there are quite old.** It is estimated that about 90% of the rental housing in Warrenton was built before 2000, making it 25 years or older. Nearly half of the rental housing stock (47%) was built prior to 1980, which makes it 45 years or older (ACS, 2022 5-yr). The town needs more rental housing not only to meet the demand of its workforce and of it is seniors, many of whom are on fixed incomes, but also because most the current rental housing stock is old, with many units approaching 50 years in age.

DRAFT

- **Studies have shown that subsidized housing developments do not lower surrounding property values but actual have been found to increase them.** This is largely attributed to neighborhood revitalization which lowers crime, and also context-driven building and site design, and robust maintenance requirements. An example study close to home, right here in Virginia was conducted in 2022 in Alexandria. Researchers found a modest increase in property values for homes in the city within 1/16 of a mile (about the distance of a city block) of a subsidized housing development.

Please do the right thing for our community and approve this project!

Debbie M. Werling
47 Garrett Street, Warrenton VA 20186
540-347-4866 – work
540-222-4728 – mobile

Draft

From: "Lee Sherbeyn" <dlsherbeyn@gmail.com>
Sent: Wed, 4 Dec 2024 14:13:33 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Veterans Homes

You don't often get email from dlsherbeyn@gmail.com. Learn why this is important

To all,
I can't imagine anyone objecting to this GREAT cause. All of us AMERICANs should feel grateful enough to support and do what we can for those who have and are willing to sacrifice everything to defend our freedoms. I know all of you speak and understand English. It is because of our veterans, that we don't have the need for Japanese or German or Russian. These are the men and women who have sacrificed so very much and are now in need of our help.
They don't have multiple cars and many will not have any so the negative traffic impact is negligible or non existent. The other infrastructure used by this project is also not a factor. If not here, WHERE?

If Fauquier County would approve it I would donate all the needed room on my farm for this entire project. I would be please and honored to be able to that for this honorable endeavor. Please approve this project ASAP and let us get to work to help the wonderful members of OUR community.

RESPECTFULLY SUBMITTED,

D. Lee Sherbeyn
Principal Broker
540-878-3068
WWW.LEESHERBEYNREALTOR.COM
Licensed in the Commonwealth of Virginia
Lic. 0225071822
Lee Sherbeyn Real Estate Service and Referrals
6328 Catlett Rd
Bealeton, VA 22712
Lic. 0226025771

IMPORTANT NOTICE: NEVER trust wiring instructions sent via email. Cyber criminals are hacking email accounts and sending emails with fake wiring instructions. These emails are convincing and sophisticated. Always independently confirm wiring instructions in person or via a telephone call to your agent or a trusted and verified phone number. Never wire money without double-checking that the wiring instructions are correct.

Draft

From: "[redacted]" on behalf of "[redacted]" <[redacted]>
Sent: Wed, 4 Dec 2024 19:52:35 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Urging approval for the Hero's Bridge Village

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

To Whom It May Concern,

I am writing to urge you to approve the Hero's Bridge Village project. This development is a crucial opportunity to provide a safe, supportive home for our veterans, many of whom served during the Vietnam War. These brave men and women sacrificed so much for our country, and it is our responsibility to ensure that they receive the care and respect they deserve in their later years.

The veterans who will benefit from this project are elderly and in need of assistance. They are not a threat to anyone but rather individuals who have given their all in service to our nation. By supporting the Hero's Bridge Village project, we are offering them the opportunity for a peaceful, dignified living environment where they can thrive in their senior years.

I strongly believe that this project is an investment in the well-being of those who have already invested so much in our country. Please consider the impact this project will have on these veterans and the community as a whole. Your approval will send a powerful message of support for those who have given so much to protect our freedoms.

Thank you for your time and consideration. I trust that you will make the right decision in support of these deserving veterans.

Janet Ashby Rehanek, REALTOR, GRI, ABR
CENTURY 21 NEW MILLENNIUM
67 W. Lee Hwy. Warrenton, VA 20186
(540) 229-8200
Licensed in the Commonwealth of Virginia
Greater Piedmont Realtors Association Board of Directors 2023-2025

From: "Kimberly Holzer" <[redacted]>
Sent: Wed, 4 Dec 2024 20:27:43 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Cc: "[redacted]" <[redacted]>
Subject: Plea to the Town Council in Support of Hero's Bridge Village

You don't often get email from [redacted]. Learn why this is important

Honorable Council Members,

I come before you today to advocate for a project that will profoundly impact the lives of aging veterans in our community: Hero's Bridge Village. This initiative is not just a housing project—it is a lifeline for the men and women who have served our country and now face the difficult realities of aging.

The effects of military service, particularly combat exposure, can accelerate the aging process in ways that are often unseen by those who haven't lived through it. While some veterans transition into their senior years with relative ease, many others suffer from chronic illnesses caused by wartime exposures like Agent Orange, or the mental and emotional scars of war. As they grow older, the loss of spouses, the onset of illness, or the challenges of retirement can send these veterans into a downward spiral. Unfortunately, the military culture they lived by—one that emphasizes strength and self-reliance—often prevents them from seeking the help they need.

Every day, we hear from hospitals, emergency rooms, social services, churches, and community organizations asking us to assist aging veterans who are struggling. Many of them can be supported in their homes, but for others, their living conditions have become too dangerous, too isolating, or too difficult to manage on their own. For these veterans, they need more than just a house—they need a *village*.

That is where Hero's Bridge Village comes in. This will be the first community of its kind: a dedicated space where aging veterans can find not only affordable housing but also a safe, supportive environment that nurtures their health and well-being. For many of our older heroes, maintaining large, unwieldy homes is no longer practical, and trying to do

so often shifts them from a state of independence to dependence. We have a responsibility to ensure that every senior veteran has access to a safe, clean, and supportive home.

Hero's Bridge Village will offer more than just shelter. It will offer peace, healing, and a sense of community. By prioritizing socialization and wellness over profit and square footage, this community will combat the isolation that too many of our veterans face. It will be a place where they can find camaraderie, care, and connection—a place where they can feel valued and supported in their later years.

This project will not only change the lives of the veterans who call it home but will also transform the culture of our community as a whole. It will remind us of the importance of giving back to those who have already given so much. Many of these veterans are from World War II, Korea, and Vietnam—wars that defined generations. Their sacrifices are immeasurable, and the least we can do for them is provide a place where they can live with dignity, safety, and community.

We ask for your support in making Hero's Bridge Village a reality. Let us honor these heroes not just with words, but with action. This is our opportunity to give back, to show these veterans that we care, and to ensure they spend their later years in the peace and dignity they deserve.

Thank you for your time and consideration.

Do you know a hero who could benefit from saving extraordinary money on a home?
Please share Homes for Heroes with them!

Kimberly Holzer, Realtor® | Ross Real Estate | Homes for Heroes®
"Serving Our Heroes, One HOME at a Time"

Draft

Direct [redacted] office [redacted]
https://www.rossva.com/kimberly-holzer

Licensed in Virginia
Greater Piedmont Realtors 2024 Board of Directors
Graduated Realtor Institute
Real Estate Negotiation Expert
Military Relocation Professional
Seller Representative Specialist
Accredited Buyer Representative
Pricing Strategy Advisor
At Home With Diversity
Fairhaven

Draft

From: "Adam Harvey" <[redacted]>
Sent: Thu, 5 Dec 2024 20:49:53 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: Support for Hero's Bridge

You don't often get email from [redacted]. Learn why this is important

I am writing to share my disappointment in the town of Warrenton leadership and show my support for Hero's Bridge and the Hero's Village. Our veterans have made extraordinary sacrifices in service to our country, and they deserve to have access to safe, comfortable, and accessible housing that meets their needs. A dedicated housing project would not only provide vital support for disabled veterans, but also serve as a testament to the community's gratitude for their service. By investing in this initiative, we can help ensure that those who have given so much are able to live with dignity and independence.

I cannot believe the below project of 200 homes was approved, but the small retirement community for veterans is not given a chance.

As a veteran (25 years) I am extremely disappointed with the town for not completely supporting this project. I previously encouraged the hundreds of veterans I come into contact with to visit and or move to Warrenton. I will not continue this practice based on the lack of support for veterans.

Sincerely,
Adam Harvey

Draft

Officials take first step toward moving 200-home development into Warrenton
fauquier.com

Warrenton Ridge New Homes in Warrenton, VA
marondahomes.com

From: "Jack Farrell" <[redacted]>
Sent: Fri, 6 Dec 2024 09:24:23 -0500
To: """ <citizencomment@warrentonva.gov>
Cc: "" <cnevill@warrentonva.gov>," <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>," <hsutphin@warrentonva.gov>; "" <wsemple@warrentonva.gov>," <bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>," <egagnon@warrentonva.gov>; "Molly Brooks" <[redacted]>; "dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Subject: Letter of Support for Hero's Bridge,
Attachments: Hero's Bridge Letter of Support.docx, Ward 5 Mailer.jpg

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

Good morning,

Please find attached our letter of support for the project proposal at 341 Church Street, in anticipation of the Town Council meeting on December 10th as item F. C. of the Agenda. We are proud to support this project, and hope to see this Council's approval next week.

Attached also is a copy of the mailer referenced in our letter at footnote 23.

Sincerely,

Jack Farrell *he/him*
Research Attorney
[redacted]
YIMBY LAW

Draft

Church and Moser Streets

Issue 1 • Summer/Fall 2023 • Published by Gagnon for Town Council

Proposed Veteran's Tiny Home Village on Warrenton United Methodist Church Property

Hero's Bridge, a non-profit veteran's service group specializing in providing services to elderly veterans in our area, is advancing a proposal to build a village of tiny homes for elderly veterans on the vacant land next to the Warrenton United Methodist Church, directly across from Church and Moser Streets.

This development would provide elderly veterans with clean, safe housing, and a sense of community for aging veterans, who are often living alone in substandard housing conditions here in the County.

While we all support our veterans, and especially veterans in need, in addition to homeowner property value and traffic concerns, there are some questions that must be adequately addressed so that homeowners on Church and Moser Streets, and surrounding areas, can become part of the process and make an informed decision:

- **Since many elderly veterans have health conditions** which make it impossible for them to maintain their homes, what provisions would be made to insure these homes and surrounding grounds will be maintained?

- **Would this development also be a home to veterans with drug or alcohol abuse issues?** If so, what measures would be taken to support these residents, and provide security assurances for neighboring homeowners?

- **Overall, will there be a meaningful plan in place to provide ongoing support** and assistance to the veterans living in these homes, to meet their health, medical, and social needs?

I think there are many positive aspects to this idea, but ultimately it's up to the homeowners of Church, Moser, and surrounding areas to decide if this development is a good fit for their neighborhood.

Roebling Street Neighbors Object to Proposed Road Cut-In to Broadview Avenue

The Town is proposing, as one of the many new road "improvements" in its grandiose Town budget, a new road cut-in on Roebling Street (near North Court) to enable direct access from Broadview Avenue onto Roebling Street.

Our Roebling Street neighbors, who appreciate their quiet residential street, strongly oppose this project because it would significantly increase traffic from motorists on Broadview Avenue, who would use this new access as a shortcut alternative to taking Winchester Street, a two-lane road that is much more capable of accommodating Broadview Avenue traffic.

The Town of Warrenton has many older streets that twist and turn through our neighborhoods, and residents I've spoken to are used to this, and they don't mind it at all. Roebling Street works just fine as it has for many decades since the first houses were built here. Why open the traffic floodgates to many more unwanted vehicles that don't belong here?

Better yet, why not put the money that would be wasted on a road nobody wants on Roebling Street into repairing the roads that we already have?

What Do YOU Care About In Your Neighborhood? Let Me Know!

Call me at **(540) 270-6650** or e-mail **eric@gagnonward5.com** to discuss your issues or concerns for your street in our Ward—I'm looking forward to hearing from you!

DRAFT

From: "Ray Parks" <[redacted]>
Sent: Sat, 7 Dec 2024 00:07:09 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Cc: "[redacted]" <[redacted]>; "Sheryl Reinstrom" <[redacted]>; "Kimberley Donohue" <[redacted]>
Subject: Support for Hero's Bridge Village

You don't often get email from [redacted]. Learn why this is important

To the Members of the Warrenton Town Council:

Encompass Community Supports (ECS) serves as the regional Area Agency on Aging providing supportive services to approximately 1300 older adults per year—many of them veterans. We provide information and referral, nutritional support through senior centers as well as Meals on Wheels, disease prevention, insurance counseling, long term care Ombudsman services, and many more initiatives under the Older Americans Act/Area Plan for Aging Services. We collaborate closely with Aging Together, the Regional Transportation Collaborative, the Senior Services Collaborative, and many other partner/providers that also work closely with Hero's Bridge.

Additionally, ECS provides supportive housing services such as permanent supportive housing, the State Rental Assistance Program, the Housing Choice Voucher Program, and a 23-unit HUD 202 apartment complex for very low-income individuals age 62 and up.

We are keenly aware of the critical shortage of affordable housing units in Fauquier as well as other counties in our service area (Planning District 9) for veterans/older adults. We believe that the Hero's Bridge Village would provide an excellent community that meets the goals set forth in the housing chapter of the Plan Warrenton 2040 Comp Plan. We strongly encourage your support for the rezoning plan that will allow this project to move forward.

Thank you for your consideration.

Sincerely,

Ray Parks
Director of Community Connections for Older Adults
Encompass Community Supports
15361 Bradford Road
P. O. Box 1568
Culpeper, VA 22701
[redacted], ext. 3331 (Office)
[redacted] (Cell)

DRAFT

encompass
Community Supports
Formerly Known As -
Rappahannock-Rapidan Community Services

Draft

From: "Don Bromley" <[redacted]>
Sent: Mon, 9 Dec 2024 11:25:22 -0500
To: """ <citizencomment@warrentonva.gov>
Cc: "<cnevill@warrentonva.gov>, Paul Mooney" <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>," <hsutphin@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "<bhamby@warrentonva.gov>, Eric Gagnon" <egagnon@warrentonva.gov>; "Larry Davies" <[redacted]>
Subject: ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge
Attachments: Public Hearing 12-10-2024.docx

Some people who received this message don't often get email from [redacted]. Learn why this is important

12/08/2024

To:

The Town of Warrenton Councilmen.

This note is regarding the upcoming public hearing to be held on Tuesday December 10, 2024 at 6:30 PM – ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge.

I have written multiple times in the past with the understanding these emails are read by the Council members. I write as three minutes in front of the Commission or Council is not nearly enough time to discuss everything that needs to be discussed concerning this application and doesn't give the council members adequate time to think about the concerns, however I expect at this time most of you have already made your decisions. Even so I ask that you fully read the following.

I expect there to be many emotional arguments during this hearing by both the supporters and opposers of the Hero's Bridge project as proposed. This decision should not be made on emotions. I understand as well as anyone that there is a need for low-income housing, not just in this community, but across our entire nation. My neighbors understand this as well. We are not against helping those with low-income. We are against this project as proposed for the several reasons that you are all very well aware of. The high-density housing nature of this proposed plan and the high traffic this will bring with it are a few of these. Mr Foote suggests that the entire 9.864 acreage should be considered in this zoning change request. Unless the Church itself, with the parking lots and out buildings, are planned to be removed this should not

be part of the consideration. This is 22 duplexes and one administrative building to be placed on an approximately 3.7-acre parcel of land. The gazebo and walking labyrinth are planned to stay in place.

This is a high-density low-income housing project in an area that does not meet the present zoning ordinances or the Town of Warrenton's future vision. If allowed as planned this proposed change to the zoning would set a precedent that would affect not only Warrenton but the Commonwealth of Virginia as a whole. The Planning Commission understands this, agrees with our views and has advised against approving this. Please listen to them. The town's own attorney also agrees with the Planning Commission, sees the liability this could leave the town open to and advises against this. No one wants this to become a lawsuit but I am aware of this being discussed.

This vote cannot be based on emotion, it needs to be based on what is best for the Town of Warrenton. The same idea of this low-income project can be accomplished on this same piece of property using an alternate plan, done correctly inside of the existing zoning ordinances, which I believe the neighborhood will be willing to support. There are multiple other options that can and should be considered, some of which would have little impact on the neighborhood. Deny this proposal so that we can begin working on putting together a plan that is a win for the people, the town and the church. The first step is that this proposal has to be denied.

I feel some of you will vote in favor of this proposal in support of Hero's Bridge against the advice of the Planning Commission and the Towns Attorney no matter what. You should think about the best interest of the town, which is what you were elected to do. You can still support Hero's Bridge while denying this proposal by encouraging them to reapply inside of the existing zoning guidelines. Low-income housing can be built on these sites that fits in the town's vision and does not set a precedent that can't be undone.

Some of you may be on the fence as to which way to vote. You need to deny this proposal knowing that it is not the end for Hero's Bridge, but an opportunity for a new beginning for them to accomplish their goal with the backing of the people that are most affected by this proposal.

I encourage you to act in the best interest of the town you were elected to represent and deny this proposal.

The following is a condensed/revised version of the questions that were sent in the past and is included as a reminder of things that need to be considered before you make your decision.

With this potential community being under the management of Hero's Bridge there still remains the multiple items that need to be considered.

- Is the Town of Warrenton considering any way of overseeing who are actually selected as the residence to make sure Hero's Bridge follows the letter of the law?
  - This is important as allowing Hero's Bridge to run this as a veteran only community may leave the Town of Warrenton liable for being knowingly involved in any deceit.
- Would Hero's Bridge be willing to sign an affidavit releasing the Town of Warrenton from responsibility should they fail to follow this law?
  - The United Methodist Church may also want to be released of responsibility as well.
- Will Hero's Bridge have the wherewithal to fund the construction of this project?
  - They do not at this time.
- Can Hero's Bridge continue to fund this over the entire 75-year length of the lease period?
  - Hero's Bridge mission is aimed at improving the lives of Vietnam vets in particular. None of these vets and most likely none of the present management of Hero's Bridge will be involved at the end of the lease period.
- If this zoning change goes through and Hero's Bridge is unable to fund this project the new zoning ordinances will stand which sets a precedent and opens the door for other builders to build similar projects that could have negative impacts throughout the Commonwealth.
- In the event that Hero's Bridge fails in its mission and is no longer able to manage or support this low-income senior community, there should be something in writing as to who will assume the responsibility as the management of this project.
- The United Methodist Church needs to agree as to who will assume management of the development.

Draft

- The Town of Warrenton needs to consider if the assumption of management should fall on them.

As this will be low-income housing, it is the sad truth that low-income residents don't always have the funds to pay their rents or utility bills on time.

- Hero's Bridge should show that they can absorb this cost of this if one or more residents fall into this unfortunate situation of being unable to pay their bills.
- If Hero's Bridge will be counting on the continuing support of the Church or others to absorb this cost these organizations need to be made aware in advance.
    - I don't believe this should fall on the Town of Warrenton unless considered necessary.

The major concern of the increased traffic on the narrow roads in this community cannot be ignored. The Town needs to have a plan in places to address the needs of road upgrades and the addition of sidewalks. Even with an alternate plan the traffic will increase, possibly to the extent suggested by Hero's Bridge.

"The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the church". An increase in traffic more than 5 times greater than present needs serious consideration as these roads cannot support that amount of traffic.

- Does the Town of Warrenton's Plan to address this additional traffic?
    - Is the widening of the roads being considered?
    - Is the addition of sidewalks being considered?

We continue to ask the Planning Commission and the Council Members to do the right thing and deny this project as planned. The legal concerns mentioned at the beginning of the letter will still exist in any case.

Thank you for your time
Best regards,
Don Bromley
320 Church St.
Warrenton VA. 20186
[redacted]

Draft

Draft

From: "Molly Brooks" <[redacted]>
Sent: Mon, 9 Dec 2024 15:31:53 -0500
To: """ <citizencomment@warrentonva.gov>
Cc: "Carter Nevill" <cnevill@warrentonva.gov>; "" <pmooney@warrentonva.gov>," <hsutphin@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "" <bhamby@warrentonva.gov>," <jhartman@warrentonva.gov>; "" <egagnon@warrentonva.gov>," <dmcguire@warrentonva.gov>; "Larry Davies" <[redacted]>; "Sarah Newton" <[redacted]>; "Foote, John" <jfoote@thelandlawyers.com>; "Pfeiffer, Jessica" <jpfeiffer@thelandlawyers.com>; "Jeremy L. Karls" <[redacted]>
Subject: Hero's Bridge Response to Bromley Questions
Attachments: Applicant Response to Bromley Questions.docx

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Council Members,

When questions are asked about this important project, we feel it very important to answer the queries. The council needs the most information possible as they evaluate this proposal.

Please see the attached document. I have answered many of Mr. Bromley's questions. I hope you will take the time to read through this response as these are questions that have come up repeatedly over the last year.

We look forward to discussing the proposal and answering any remaining questions with you tomorrow.

Molly Brooks RN-BC, CHPCA
CEO & Founder
[redacted]
www.herosbridge.org
HERO'S BRIDGE
They fought for us. We fight for them.

Draft

From: "Bruce Campbell" <[redacted]>
Sent: Mon, 9 Dec 2024 15:33:35 -0500
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Cc: "Molly Brooks" <[redacted]>
Subject: ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge

You don't often get email from [redacted]. Learn why this is important

My name is Bruce Campbell, and I reside in the Town of Warrenton. I advocate approval of the Veterans Village project because it provides "Missing Middle" housing that addresses the attainable housing challenge facing the Town and Fauquier County.

I understand concerns from some property owners about potential negative impacts on property values. However, recent research shows that affordable housing generally has no negative impact or even positive effects on property values. I encourage you to review these studies:

Does Affordable Housing Lower Property Values? - Bloomberg

What Is the Impact of Low-Income Housing on Property Values? - A-Mark Foundation

Thank you for considering this important information

Bruce Campbell
156 Menlough Drive
Warrenton, VA 20186

Draft

From: "[redacted]" on behalf of "[redacted]" <[redacted]>
Sent: Mon, 9 Dec 2024 23:34:59 +0000 (UTC)
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Comment regarding Town Council Meeting 12-10-24

You don't often get email from [redacted]. Learn why this is important

December 9, 2024

Dear Members of the Warrenton Town Council,

My name is Nancy Gatti, I live at 306 Church Street, and I am writing in opposition to the Zoning Map Amendment requested by the Warrenton United Methodist Church/Hero's Bridge. As a co-trustee of the William E Sudduth Jr Revocable Living Trust, which owns the property located at 296 Church Street, I am also speaking on behalf of the trust in opposition to the Zoning Amendment as well.

I have attended several meetings at the Warrenton United Methodist Church regarding this proposal and I have spoken at two Zoning Planning Commission Meetings in regards to this proposed development. I appreciate you taking the time to read and consider the points that I will be making regarding this matter.

While the proposal states the acreage for the project to be 9.8640 acres, the land that this proposed development would sit on is less than 4 acres, thus making this development high density based on the location of buildings. This land is not zoned for this type of development, and the proposed development is not a good fit for this neighborhood of single family dwellings, which have been built to code.

The residents have expressed numerous concerns regarding this proposed development and the adverse effects that it would have on our nice quiet residential neighborhood - such as an increase in traffic, loss/change in property values. Several residents have also provided Hero's Bridge with suggestions for possible changes

While the 'veterans only' stipulation was removed, Ms. Brooks has emphatically stated that she and Hero's Bridge will continue to prioritize the proposed housing to veterans. Despite this, I feel that possible lawsuits are inevitable based on the information that Ms. Brooks has shared at recent meetings and during interviews regarding the proposed project.

Draft

In a meeting that Hero's Bridge held with residents, the question was asked regarding how much individuals would be paying a month. Ms. Brooks told us that their rent would be income based, some individuals may be paying $600.00 a month, while others may be paying as much as $1400.00 a month. A two bedroom one and a half bathroom at Moffett Manor currently rents for $1300.00 a month. Compared to that pricing, a unit, smaller in size, would potentially cost more than other rentals in the area. Ms. Brooks stated that the rent would vary based on income, rather than a set amount for each unit, has this changed, and has this even been addressed?

Hero's Bridge is constantly making changes to the original proposal. At our community meetings in October/November of 2023, the residents were informed that the community center proposed to be built on the property located behind the church, would not be built, something that the community was just informed of last month. During our community meetings, we were told that sidewalks would be installed surrounding the property, this was taken out of their proposal presented to the Zoning Commission. Residents in the neighborhood have expressed concerns regarding traffic flow, another issue that is constantly changing during these presentations/hearings. What other changes do they have planned that are not being shared, and what can be put in place to prevent drastic changes moving forward?

On October 30, 2022, the church invited residents to gather and hear about the proposal. An individual, who lived on Stuyvesant Street, expressed her concerns regarding housing for veterans. Her concerns stemmed from a personal relationship, her ex-husband is a veteran. While she had the right to express her concerns, her questions, concerns, and comments were solely HER concerns. After that initial meeting, Hero's Bridge, in my opinion, painted a picture that the residents of the surrounding neighborhood were anti-veteran. This is not true. Many of us have relatives that are veterans, there are several veterans who live in the neighborhood. Our questions and concerns regarding this development have, and continue to focus on the zoning concerns and the adverse effect that a development as such would place on our neighborhood.

I acknowledge the need for affordable housing in this county. As an educator for the past 36 years, I understand the financial struggle for affordable housing. There is a need; however, this proposed development is not the right fit for this neighborhood. As the residents of the neighborhood have stated from the beginning, if a plan was presented that met current zoning requirements, then we would feel differently.

At one of the smaller community meetings held at the church, the question was asked how we felt about single family houses being built on the land instead of the proposed duplexes, and I

personally told them that if the structures met the current zoning regulations for our neighborhood, then I could not question it.

I am a fourth generation Warrentonian. I have been a resident of this neighborhood my entire life, and I hope to continue to live here for many years to come. I have made not only Warrenton my home, but Church Street. I grew up riding bikes around the neighborhood, playing outside until the street lights came on. I am grateful for the wonderful memories of being able to walk to my grandmother's house and to currently live in a house next door to the house that I grew up in.

I can speak first hand about the traffic on the street and the neighborhood. The road is not very wide, and there are places where it is difficult for two cars to comfortably pass each other, one of which is the curve where Church Street and Moser Road connect. I can speak about the additional cars that are parked along the street when there is a Christmas Concert, a large church function, or an event being held at the church. When cars are parked on the side of the street across from my house, two cars are not able to pass comfortably on the road. I can speak about the influx of traffic when Waterloo Street is closed and traffic is diverted through the neighborhood. Thus, one of the concerns that I, along with other residents, have brought up regarding this proposed development focuses on the increase of traffic in our neighborhood.

While Ms. Brooks is passionate about her cause, I am passionate about the neighborhood that I grew up in and continue to reside, and what would be the best fit for our neighborhood. I believe that moving forward with a different proposal, one that would currently meet the existing guidelines, would benefit all involved. I believe that this is a project that should not be rushed, and one that should be transparent in all stages of development to those involved and affected moving forward.

Thank you again for your time and consideration.
Sincerely,
Nancy Gatti
306 Church Street
Warrenton, Va 20186
[redacted]

Draft

From: "Mark Kaufmann" <[redacted]>
Sent: Tue, 10 Dec 2024 06:27:06 -0500
To: """ <citizencomment@warrentonva.gov>
Cc: """ <[redacted]>
Subject: Plan Warrenton 2040 - Hero's Bridge Village

You don't often get email from [redacted]. Learn why this is important

Hello,
As a veteran myself, I fully support Hero's Bridge's effort to have a senior assisted living center built for local, aging veterans in desperate need of something like this. Taking care of our veterans who have served this country is one of the most important things we can do as compassionate Americans. Please consider approving this project based on the amount of good it will do. Thank you.

Very respectfully,
Mark Kaufmann
4106 Adrienne Dr
Alexandria, VA 22309
[redacted]

Draft

From: "Anna Rogers" <[redacted]>
Sent: Tue, 10 Dec 2024 09:41:48 -0500
To: """ <citizencomment@warrentonva.gov>
Cc: "Molly Brooks" <[redacted]>; "Ellen Phipps" <[redacted]>; "Caroline Smeltz" <[redacted]>
Subject: Hero's Bridge Village

You don't often get email from [redacted]. Learn why this is important

The topic of “the tiny home village” as a solution to our nationwide affordable housing crisis pops up frequently across our country. While it is true that various models of tiny home villages have pros and cons, the evidence speaks for itself in favor of the village model.

Our communities have a responsibility to take steps both large and small to address the affordable housing crisis. Waiting on “perfect” solutions is not an option.

We must rethink our image of homelessness. Rethink the image of those citizens in our communities that find themselves in “an affordable housing dilemma.”

Today, those who find themselves homeless are often *older adults*. Two situations that come to mind include the 85-year-old woman who was sharing a home with her sister, but her sister passed away and she could no longer afford her rent, and the 75-year old living in a small apartment on his $1500 social security check but his landlord just increased his rent to $1250 / month; which is considered a “fair rent” in our region. These are just two stories I have recently heard but if you talk with those serving the older adult community there are hundreds more.

To those who find themselves “hesitant” to have a neighbor defined by a “stigma of homelessness”, I would say that the Hero’s Bridge neighbors could be our mothers, our fathers, or our grandparents and should be defined by their humanity not by unfounded imagery.

The Hero’s Bridge Village model has been thoroughly researched, including the manner in which it will screen residents and provide oversight of the

development. It is spearheaded by an established and reputable organization not only providing services to an underserved population but also providing jobs in the community. It is also a finite project, not one set to expand or experience “sprawl.”

Our affordable housing crisis is not a crisis going away anytime soon. Specifically, we must continue to address affordable housing for *older adults*. With the number of older adults in Virginia set to reach 25% of the population by 2030, our region will continue to feel this impact.

The Hero’s Bridge Village project is a gift to the community, a win-win for both those needing affordable housing and for a community whose responsibility it is to provide affordable housing and economic growth.

Please consider voting in favor of the Hero’s Bridge Village project.

Thank you for your consideration.

Anna Rogers
Director of Community Engagement

[redacted] | www.agingtogether.org

[redacted] | PO Box 367 1835 Industry Drive Culpeper, VA 22701

AGING TOGETHER'S ANNUAL APPEAL IS ON NOW! PLEASE HELP WITH YOUR FINANCIAL SUPPORT HERE. WE ARE GRATEFUL!

December 5 in Culpeper: The Annual Dementia Education Conference for anyone interested in learning more about dementia research and care!
Check info here: https://www.agingtogether.org/annual-dementia-conference.html

Draft

TRUSTED
COMMUNITY
PARTNER
Regional
Transportation
Collaborative

Draft

From: "Melissa Hunt" <[redacted]>
Sent: Tue, 10 Dec 2024 11:29:23 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge

You don't often get email from [redacted]. Learn why this is important

Good morning,

As an adjacent property owner to the proposed Hero's Bridge/UMC Rezoning application, I am writing to express my opposition to the applicant's request to rezone the UMC land parcels from R-10 & RO to R-PUD due to several issues with the application. Some of those issues are outlined below:

- The Planning Commission recommends denial of the application.
- 25 acres is the required minimum acreage for R-PUD Zoning. The applicant is requesting to rezone a total of 9.8640 acres of combined land parcels to R-PUD. That is over 15 acres less than is required. A substantial variance. Over 21 acres less than required if factoring in the project portion of only 3.9 acres.
- The applicant is referencing Rowland vs Town of Warrenton to justify using proffers to substantially amend R-PUD zoning.
- The courts ultimately ruled in favor of the Town of Warrenton because the issue was regarding a land use mix variance. **The variance was minimal**, and the subsequent proffers addressed the potential issues of the variance. The parcel exceeded the 25-acre minimum for I-PUD.
- The Hero's Bridge/UMC rezoning application **is <u>not</u> a minimal variance**. It is over 15 acres less than is required for R-PUD zoning along with issues relating to setbacks, buffers, parking, to name a few.
- Is the proffered Restrictive Covenant for veterans legal? Virginia Code does not indicate it is when it relates to military status.

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§ 36-96.6. Certain restrictive covenants void; instruments containing such covenants

A. Any restrictive covenant and any related reversionary interest, purporting to restrict occupancy or ownership of property on the basis of race, color, religion, national origin, sex, elderliness, familial status, sexual orientation, gender identity, military status, or disability, whether heretofore or hereafter included in an instrument affecting the title to real or leasehold property, are declared to be void and contrary to the public policy of the Commonwealth.

- Will limiting each home to one occupant and one parking space violate the tenant's right to accommodations under the Americans with Disabilities Act and Virginia Fair Housing laws? What if they require home health care, companion care or live-in caretaking. Can this restriction be implemented and enforced? If these services are required by the occupants, will they be allowed to age in place or be required to move?

- Why would the Town approve rezoning for development of any affordable housing project if the developers are proposing substandard zoning and substandard accessibility among other issues? Don't the future occupants have rights to be afforded the same standards described in the zoning code and accommodations under Virginia's Fair Housing laws?

- Land use mix: If rezoning to R-PUD is approved, **By right**, commercial buildings can be built in my residential neighborhood (behind my house) under R-PUD zoning. Up to 35% can be used for restaurants, medical buildings, banks, coffee shops, etc. All the proffers in the world can't stop future proffer amendments, especially if developers are involved.

- What happens if Hero's Bridge/UMC cannot financially complete or maintain the project? There is a high probability they would partner with a developer. If the Town approves this rezoning, it's setting a dangerous precedent for neighborhoods throughout the Town. If rezoned, there is no turning back on the likelihood of future development on these parcels.

- The Boys and Girls Club is closing its doors at the end of December. What assurances do we have on the continued funding and viability of this project and that it won't fall into a developer's hands in the future?

- If this parcel is rezoned to R-PUD, **By Right** buildings can be erected up to 55' and 65' with Council approval. That includes apartment buildings, office buildings, retail

Draft

establishments. Is the Town willing to allow this type of development in our established neighborhoods by approving rezoning of this small land parcel?

Please consider these and other's points when making your decision. I'm aware many people would like to see this project approved. However, we must look at the future impacts of this type of rezoning request. If approved, it will set a precedent for future development within the Town. The adjacent landowners/citizens have a right to protection from their Town representatives. The applicants, and most of their advocates, don't live in this neighborhood, and will not be affected by the impacts of the rezoning and subsequent/future development, if approved.

Respectfully,

Melissa Hunt
336 Stuyvesant Street
Warrenton, VA

Draft

From: "Kenneth Wilson" <[redacted]>
Sent: Tue, 10 Dec 2024 17:00:27 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Warrenton United Methodist Church/Hero's Bridge

You don't often get email from [redacted]. Learn why this is important

Dear Members of the Town Council:

Our family has lived on Frazier Road since we moved here 29 years ago. We chose this town having lived in Fairfax County for most of our lives prior. In the nearly three decades we have been here, the Town has expanded in many ways, mostly through sensible and natural growth. The ability to have controlled growth has been due to the established zoning and land development rules. Those rules and laws allow citizens to make informed decisions about where we chose to purchase a home. In recent years there have been attempts to bend our zoning laws to accommodate rather dubious "growth" plans, including the shattering of existing laws to allow the Amazon data center project to proceed, even though the Planning Commision recommended against it.

Now we are faced with another request to change our existing zoning laws. I and my family are against the proposed changes to zoning to accommodate the Hero's Bridge project. The need to ignore the current zoning is reason enough to deny this project from going forward. If you have to twist existing zoning into a pretzel to make something fit, it clearly is not a good fit.

We have absolutely no problem with affordable housing for seniors, veterans, or anyone of any age trying to live in Warrenton. However, changing existing zoning rules for this is completely wrong. We ask that you please follow the recommendations of the Planning Commision and deny this application.

Best regards,
Kenneth Wilson
Kathie Wilson
Brandon Wilson
Emma Wilson

Draft

From: "Terri Luper Church" <[redacted]>
Sent: Tue, 10 Dec 2024 12:02:19 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: in re Hero's Bridge
Attachments: Terri Church Heros Bridge to Town Council.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

Hero's Bridge Village Effect on Property Values and Crime Rates
Terri and Michael Church
306 Stuyvesant Street, Warrenton, VA 20186.

My back fence runs right along the property of Warrenton United Methodist Church. My teenager walks home from Fauquier High School right in front of where the Hero's Bridge Village is planned almost every day. This is my neighborhood we're talking about. And I care about it.

The City of Alexandria, Virginia, did a study. From 2000-2020, the Urban Institute studied the effects of affordable housing projects on nearby home values and sales prices. You know what they learned?

"Affordable units in the city of Alexandria are associated with a small but statistically significant increase in property values of 0.09 percent within 1/16 of a mile of a development, on average—a distance comparable to a typical urban block."
https://www.urban.org/research/publication/assessing-impact-affordable-housingnearby-property-values-alexandria-virginia

Different research shows that CRIME RATES FELL when affordable housing was built.
https://amarkfoundation.org/reports/what-is-the-impact-of-low-income-housing-onproperty-values/#ref-42

WOW. Projects like Hero's Bridge Village have brought an increase in property values for people like me: the ones who live next door to where our heroes would live, and no change at all for the rest of you. And it would have a huge effect on the lives of those heroes themselves.

Stable, affordable housing provides benefits to both people with low incomes and local economies overall. Do what's best for our home values. Do what's best for our local businesses. Do what's best as a human being. Vote FOR the Hero's Bridge Village.

As a resident whose property abuts the property of Warrenton United Methodist Church, I strongly urge the Town Council to vote to support the building of Hero's Bridge Village.

--
Terri Luper Church

12/08/2024
To:
The Town of Warrenton Councilmen.

This note is regarding the upcoming public hearing to be held on Tuesday December 10, 2024 at 6:30 PM – ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge.

I have written multiple times in the past with the understanding these emails are read by the Council members. I write as three minutes in front of the Commission or Council is not nearly enough time to discuss everything that needs to be discussed concerning this application and doesn't give the council members adequate time to think about the concerns, however I expect at this time most of you have already made your decisions. Even so I ask that you fully read the following.

I expect there to be many emotional arguments during this hearing by both the supporters and opposers of the Hero's Bridge project as proposed. This decision should not be made on emotions. I understand as well as anyone that there is a need for low-income housing, not just in this community, but across our entire nation. My neighbors understand this as well. We are not against helping those with low-income. We are against this project as proposed for the several reasons that you are all very well aware of. The high-density housing nature of this proposed plan and the high traffic this will bring with it are a few of these. Mr Foote suggests that the entire 9.864 acreage should be considered in this zoning change request. Unless the Church itself, with the parking lots and out buildings, are planned to be removed this should not be part of the consideration. This is 22 duplexes and one administrative building to be placed on an approximately 3.7-acre parcel of land. The gazebo and walking labyrinth are planned to stay in place.

This decision must be considered based on facts **and** emotion. It is impossible to remove emotion from the fact that the community you serve has a severe shortage of rental properties for seniors and many are living in difficult circumstances because of this.

The current ordinances and guidelines are very clear that the entire Church campus can and should be used in density calculations. Our project must be reviewed on current guidelines. Some may not agree with the guidelines but they should must us the Town's process for evaluating if a change is warranted.

Draft

This is a high-density low-income housing project in an area that does not meet the present zoning ordinances or the Town of Warrenton's future vision. If allowed as planned this proposed change to the zoning would set a precedent that would affect not only Warrenton but the Commonwealth of Virginia as a whole. The Planning Commission understands this, agrees with our views and has advised against approving this. Please listen to them. The town's own attorney also agrees with the Planning Commission, sees the liability this could leave the town open to and advises against this. No one wants this to become a lawsuit but I am aware of this being discussed.

This is not a high-density proposal.

No precedence will be set with this project. Every rezoning request will go through the same thorough democratic process that ours has been through.

This vote cannot be based on emotion, it needs to be based on what is best for the Town of Warrenton. The same idea of this low-income project can be accomplished on this same piece of property using an alternate plan, done correctly inside of the existing zoning ordinances, which I believe the neighborhood will be willing to support. There are multiple other options that can and should be considered, some of which would have little impact on the neighborhood. Deny this proposal so that we can begin working on putting together a plan that is a win for the people, the town and the church. The first step is that this proposal has to be denied.

Mr. Bromley has suggested many alternate plans, all of them have not been feasible for a variety of reasons ranging from engineering considerations to not owning the properties he suggests building on.

I feel some of you will vote in favor of this proposal in support of Hero's Bridge against the advice of the Planning Commission and the Towns Attorney no matter what. You should think about the best interest of the town, which is what you were elected to do. You can still support Hero's Bridge while denying this proposal by encouraging them to reapply inside of the existing zoning guidelines. Low-income housing can be built on these sites that fits in the town's vision and does not set a precedent that can't be undone.

Some of you may be on the fence as to which way to vote. You need to deny this proposal knowing that it is not the end for Hero's Bridge, but an opportunity for a new beginning for them to accomplish their goal with the backing of the people that are most affected by this proposal.

The Church and Hero's Bridge decided against what could be done by-right and spent years and thousands of dollars designing a smaller project that better matches the community and meets the need. We aren't complaining, we knew this was a process, but we do find it erroneous to suggest that it should just be denied so that we can start over.

I encourage you to act in the best interest of the town you were elected to represent and deny this proposal.

We assert adding to the rental supply for seniors is one of the most critical needs in our Town and guidelines require you to consider the critical needs of your citizens. Approval is definitely in the best interest of the people.

The following is a condensed/revised version of the questions that were sent in the past and is included as a reminder of things that need to be considered before you make your decision.

With this potential community being under the management of Hero's Bridge there still remains the multiple items that need to be considered.

- Is the Town of Warrenton considering any way of overseeing who are actually selected as the residence to make sure Hero's Bridge follows the letter of the law?
    - This is important as allowing Hero's Bridge to run this as a veteran only community may leave the Town of Warrenton liable for being knowingly involved in any deceit.
- Would Hero's Bridge be willing to sign an affidavit releasing the Town of Warrenton from responsibility should they fail to follow this law?
    - The United Methodist Church may also want to be released of responsibility as well.

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The veteran preference issue has been discussed at length. Multiple entities with expertise and authority have assured the Council that veterans can be given preference. There are thousands of veteran housing units across America, and no one can find a single case where this question has arisen. You would literally be the first Town Council ever to assert that veterans cannot be given preference. We feel **that** is much more likely to put the Town in legal jeopardy for violating Fair Housing laws.

- Will Hero's Bridge have the wherewithal to fund the construction of this project?
  - They do not at this time.

It would be ridiculous to expect us to have arranged all of our funding before we obtain the rezoning. That being said, we have raised over 3 million for this project even without the rezoning. That is a very promising indicator of future fundraising potential when the rezoning milestone is crossed.

- Can Hero's Bridge continue to fund this over the entire 75-year length of the lease period?
  - Hero's Bridge mission is aimed at improving the lives of Vietnam vets in particular. None of these vets and most likely none of the present management of Hero's Bridge will be involved at the end of the lease period.

The community will be sustained by the rental income as are most housing projects. The proforma indicates it will be a financially sustainable community.

The Hero's Bridge mission serves any veteran age 65 or older. It is true that Vietnam veterans are the current generation being served but they are followed by immense numbers of Desert Storm, Iraq and Afghanistan veterans. Unfortunately, each generation has had to answer the call to serve and fight.

- If this zoning change goes through and Hero's Bridge is unable to fund this project the new zoning ordinances will stand which sets a precedent and opens the door for other builders to build similar projects that could have negative impacts throughout the Commonwealth.

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- In the event that Hero's Bridge fails in its mission and is no longer able to manage or support this low-income senior community, there should be something in writing as to who will assume the responsibility as the management of this project.
- The United Methodist Church needs to agree as to who will assume management of the development.
- The Town of Warrenton needs to consider if the assumption of management should fall on them.

Our long-term ground lease is 45 pages long and properly addresses all scenarios to protect the well-being and viability of the community and all parties.

As this will be low-income housing, it is the sad truth that low-income residents don't always have the funds to pay their rents or utility bills on time.

- Hero's Bridge should show that they can absorb this cost of this if one or more residents fall into this unfortunate situation of being unable to pay their bills.
- If Hero's Bridge will be counting on the continuing support of the Church or others to absorb this cost these organizations need to be made aware in advance.

· I don't believe this should fall on the Town of Warrenton unless considered necessary.

Although I have answered many of these questions out of respect, these are quite discriminatory and these questions have not been asked of other applicants, nor are they normally part of rezoning applications. Hero's Bridge and the Church have outstanding reputations and zero history of not meeting their commitments or obligations. We are not asking the Town for anything other than their approval of the rezoning.

The major concern of the increased traffic on the narrow roads in this community cannot be ignored. The Town needs to have a plan in places to address the needs of road upgrades and the addition of sidewalks. Even with an alternate plan the traffic will increase, possibly to the extent suggested by Hero's Bridge.

"The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the church". An increase in traffic more than 5 times greater than present needs serious consideration as these roads cannot support that amount of traffic.

- Does the Town of Warrenton's Plan to address this additional traffic?

- Is the widening of the roads being considered?
- Is the addition of sidewalks being considered?

We have committed to sidewalks and have drastically improved the walkability of the neighborhood. What could be done by-right would house up to 96 veterans with no age restriction or proffers. This would obviously have drastically more impact on traffic, water and sewer capacity and the overall character of the neighborhood. We have worked hard to propose a more thoughtful project with the least impact on the neighborhood.

We continue to ask the Planning Commission and the Council Members to do the right thing and deny this project as planned. The legal concerns mentioned at the beginning of the letter will still exist in any case.

We have discussed this project extensively with Mr. Bromley over the last two years. We have made several changes to the project based on his, and other neighbors, feedback. It is a better project having gone through this process. Although we respect his right to raise all these issues, I felt it important to answer his questions so the Council has the most information possible.

Mr. Bromley willingly, and rather recently, chose to buy a home across the street from a busy church with an empty lot and development rights. Instead of exercising those development right as is, we are proposing a smaller more meaningful project that clearly is better for the neighborhood.

Thank you for your time
Best regards,
Don Bromley
320 Church St.
Warrenton VA. 20186
[redacted]

Draft

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

December 10th, 2024, Regular Town Council Meeting Minutes

Attachment 2: Signed Legislation

Draft

December 10th, 2024
Town Council
Public Hearing
Ordinance 2024-14

ORDINANCE 2024-14

AN ORDINANCE AMENDING THE TOWN'S IMPLEMENTATION OF THE UNIFORM STATEWIDE BUILDING CODE

WHEREAS, Virginia Code § 36-106 empowers the Town of Warrenton to impose civil penalties for Uniform Statewide Building Code violations; and

WHEREAS, Virginia Code § 15.2-1115 empowers the Town of Warrenton to "compel…the razing or repair of all unsafe, dangerous or unsanitary public or private buildings, walls or structures which constitute a menace to the health and safety of the occupants thereof or the public," to abate the nuisance itself if the responsible party fails to do so after reasonable notice, and to "collect the cost thereof from the owner or owners, occupant or occupants of the property affected in any manner provided by law for the collection of state or local taxes;" now, therefore

BE IT ORDAINED by the Warrenton Town Council this 10th day of December, 2024, that Warrenton Town Code Sec. 4-1, 4-33, 4-61, and 4-62 are repealed and replaced with the following:

Sec. 4-1. Violations and Penalties.

(a) Criminal

(1) Any person guilty of a violation of the provisions of this chapter or of the Uniform Statewide Building Code resulting in injury to a person shall be punished by a fine of not more than two thousand five hundred dollars ($2,500.00) unless a civil penalty applies as provided in subsection (b) of this section.

(2) Any person convicted of a second offense committed within less than five (5) years after a first offense shall be punished by a fine of not less than one thousand dollars ($1,000.00) nor more than two thousand five hundred dollars ($2,500.00).

(3) Any person convicted of a second offense committed within a period of five (5) to ten (10) years of a first offense of this chapter shall be punished by a fine of not less than five hundred dollars ($500.00) nor more than two thousand five hundred dollars ($2,500.00).

(4) Any person convicted of a third or subsequent offense committed within ten (10) years of an offense under this chapter shall be punished by a fine of not less than one thousand five hundred dollars ($1,500.00) nor more than two thousand five hundred dollars ($2,500.00).

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(5) Any prosecution under this section shall be commenced within the period provided for in the Code of Virginia § 19.2-8.

(b) Civil

(1) The penalty for any violation of the Uniform Statewide Building Code not resulting in injury to a person shall be a civil penalty of $100 for the initial summons and $350 for each additional summons.

(2) Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any 10-day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of $4,000.

(3) Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance or the treasurer of the locality prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. As a condition of waiver of trial, admission of liability, and payment of a civil penalty, the violator and a representative of the locality shall agree in writing to terms of abatement or remediation of the violation within six months after the date of payment of the civil penalty.

(4) If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.

(5) If the violation concerns a residential unit, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court shall order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the Code. Except as otherwise provided by the court for good cause shown, any such violator shall abate, or otherwise remedy through hazard control, the violation within six months of the date of the assessment of the civil penalty.

(6) If the violation concerns a nonresidential building or structure, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court may order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the Code. Any such violator so ordered shall abate, or otherwise remedy through hazard control, the violation within the time specified by the court.

~~Sec. 4-33. Civil violations and penalties.~~

~~(a) There is hereby established civil penalties for violations of the following sections of the building code which are not abated or remedied promptly after receipt of notice of violation from the building official:~~

~~(1) VMC § 301.3 (Failure to maintain vacant structures in a clean, safe, secure, and sanitary condition);~~

~~(2) VMC § 302.7 (Failure to maintain accessory structures, including detached garages, fences, and walls structurally sound and in good repair);~~

~~(3) VMC § 304.2 (Failure to maintain exterior protective treatments in good condition);~~

~~(4) VMC § 304.13 (Failure to maintain windows, skylight, and door frames in sound condition, good repair, and weather tight);~~

~~(5) VMC § 304.15 (Failure to maintain doors in good condition).~~

~~(b) The penalty for violation shall be a civil penalty of one hundred dollars ($100.00) for the initial summons and three hundred fifty dollars ($350.00) for each additional summons. Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any ten (10) day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of four thousand dollars ($4,000.00). Designation of a particular code violation for a civil penalty under this section shall be in lieu of criminal sanctions, and except for any violation resulting in injury to persons, such designation shall preclude the prosecution of a violation as a misdemeanor.~~

~~(c) Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the locality prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. As a condition of waiver of trial, admission of liability, and payment of a civil penalty, the violator and a representative of the locality shall agree in writing to terms of abatement or remediation of the violation within six (6) months after the date of payment of the civil penalty.~~

~~(d) If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.~~

~~(e) If the violation concerns a residential unit, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court shall order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the code. Except as otherwise provided by the court for good cause shown, any such violator shall abate, or otherwise remedy through hazard control, the violation within six (6) months of the date of the assessment of the civil penalty. If the violation concerns a nonresidential building or structure, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court may order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply~~

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~~with the code. Any such violator so ordered shall abate, or otherwise remedy through hazard control, the violation within the time specified by the court.~~

~~(f) *Time limit for commencing prosecution.* Any prosecution under this section shall be commenced within the period provided for in the Code of Virginia § 19.2-8.~~

~~(Ord. No. 2022-1, 6-14-22)~~

Sec. 4-33 – Reserved.

Sec. 4-61. –Abatement of unsafe, dangerous or unsanitary public or private buildings, walls or structures which constitute a menace to the health and safety of the occupants thereof or the public.

~~In addition to any other remedies provided by this Code or the Virginia Code, the town may protect public health, safety, and welfare by addressing dangerous structures as provided in this article. The owners of property in the town shall remove, repair, or secure any building, wall or any other structure that might endanger the public health or safety of other residents of the town at such time or times as the town council may prescribe by resolution or ordinance.~~

~~(Ord. No. 2022-1, 6-14-22)~~

(a) A notice of unsafe structure, pursuant to the Virginia Maintenance Code, shall be reasonable notice for the purposes of Virginia Code § 15.2-1115 and this section.

(b) The Town may abate or obviate the unsafe structure if the owner fails to do so after notice as provided in subsection (a) of this section.

(c) If the Town abates or obviates the unsafe structure, the Town Treasurer shall charge and collect the cost thereof from the owner or owners, occupant or occupants of the property affected in any manner provided by law for the collection of state or local taxes.

Sec. 4-63 – Reserved.

Votes:
Ayes: **Ayes:** **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**

Nays:

Nays:
Absent from Meeting:
For Information:

ATTEST: _____
Town Recorder

Draft

December 10th, 2024
Town Council
Public Hearing
Ordinance 2024-17

AN ORDINANCE TO APPROVE A VOLUNTARY SETTLEMENT AGREEMENT FOR THE BOUNDARY ADJUSTMENT INTO THE TOWN OF WARRENTON OF APPROXIMATELY 243.87295 ACRES OF LAND BELONGING TO ALWINGTON FARM, LLC, ALWINGTON ESTATES, LLC, HD DEVELOPMENT OF MARYLAND, INC., PADMAJA AND SRINIVAS DASARI, THE FAUQUIER COUNTY SCHOOL BOARD, AND VABFT, LLC, AND CERTAIN ROAD RIGHT-OF-WAY, AS RECOMMENDED BY THE VIRGINIA COMMISSION ON LOCAL GOVERNMENT

WHEREAS, the Town of Warrenton, Virginia, (the "Town"), and the County of Fauquier, Virginia, ("the County") filed a Notice with the Virginia Commission on Local Government of their intention to effect a Boundary Line Adjustment ("BLA") by and between the Town and the County to incorporate into the Town approximately 243.87295 acres of land presently subject only to County jurisdiction (the Adjusted Property") belonging to Alwington Farm, LLC, Alwington Estates, LLC, HD Development of Maryland, Inc., Padmaja and Srinivas Dasari, the Fauquier County School Board, and VABFT, LLC, together with such road right-of-way as may lie within the proposed BLA area; and

WHEREAS, the Town and the County have mutually agreed upon terms and conditions for a boundary adjustment in a Voluntary Settlement Agreement (the "VSA") pursuant to Va. Code Ann. §15.2-3400, as an alternative to a fully contested litigation to adjust jurisdictional boundaries, and submitted that VSA to the Virginia Commission on Local Government (the Commission) for review and recommendation; and

WHEREAS, the Commission has reviewed the VSA and has recommended its approval of the said BLA and Agreement in its report dated November 2024, all according to law, a copy of which is incorporated herein by reference as Exhibit A; and

WHEREAS, the Town desires to approve and present the VSA to the Circuit Court for further action thereon;

NOW THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Warrenton, Virginia, as follows:

1. The aforesaid Whereas clauses are incorporated herein by reference.

2. The Town Council hereby consents to the adjustment of the Adjusted Property into the Town's corporate limits consistently with the VSA.

3. The Town Council hereby agrees to the terms and conditions as set forth in the VSA, a copy of which is separately attached hereto and incorporated herein by reference as Exhibit A, and authorizes the execution thereof by the Mayor or his designee.
4. The Town Council hereby directs the Mayor, Town Manager, and Town Attorney, together with the Fauquier County Attorney, to forward the VSA, and any necessary exhibits thereto, to the Circuit Court of Fauquier County, and by a

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proper petition to that Court request it to have the Supreme Court of Virginia appoint a Special Court pursuant to the provisions of Va. Code Ann. § 15.2-3400(5), to hear and decide this matter in accordance with law.

5. The Mayor, Town Manager, and Town Attorney, shall take such other and further steps as may be needed to effectuate the purposes of this Ordinance and the incorporation of the Adjusted Land into the Town's boundaries.

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire**

Nays: **Mr. Eric Gagnon**
Absent from Meeting:

For Information:
Town Attorney

ATTEST: _____
Town Recorder

Draft

ORDINANCE 2024-18

AN ORDINANCE AMENDING THE TOWN'S IMPLEMENTATION OF THE UNIFORM STATEWIDE BUILDING CODE

WHEREAS, Virginia Code § 36-106 empowers the Town of Warrenton to impose civil penalties for Uniform Statewide Building Code violations; and

WHEREAS, Virginia Code § 15.2-1115 empowers the Town of Warrenton to "compel…the razing or repair of all unsafe, dangerous or unsanitary public or private buildings, walls or structures which constitute a menace to the health and safety of the occupants thereof or the public," to abate the nuisance itself if the responsible party fails to do so after reasonable notice, and to "collect the cost thereof from the owner or owners, occupant or occupants of the property affected in any manner provided by law for the collection of state or local taxes;" now, therefore

BE IT ORDAINED by the Warrenton Town Council this ___ day of _____ 2024, that Warrenton Town Code Sec. 4-1, 4-33, 4-61 and 4-62 are repealed and replaced with the following:

Sec. 4-1. Violations and ~~penalties~~Penalties.

~~Any person guilty of a violation of the provisions of this chapter or of the Uniform Statewide Building Code shall be punished by a fine of not more than two thousand five hundred dollars ($2,500.00). Any person convicted of a second offense committed within less than five (5) years after a first offense shall be punished by a fine of not less than one thousand dollars ($1,000.00) nor more than two thousand five hundred dollars ($2,500.00). Any person convicted of a second offense committed within a period of five (5) to ten (10) years of a first offense of this chapter shall be punished by a fine of not less than five hundred dollars ($500.00) nor more than two thousand five hundred dollars ($2,500.00). Any person convicted of a third or subsequent offense committed within ten (10) years of an offense under this chapter shall be punished by a fine of not less than one thousand five hundred dollars ($1,500.00) nor more than two thousand five hundred dollars ($2,500.00). Any prosecution under this section shall be commenced within the period provided for in the Code of Virginia § 19.2-8.~~

~~(Ord. No. 1994-15, 11-8-94; Ord. No. 2022-1 , 6-14-22)~~

~~State law reference(s)—Violation a misdemeanor; civil penalty, Code of Virginia, § 36-106.~~

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(a) Statement of Policy

(1) The Town of Warrenton's policy is to seek voluntary compliance with all enforcement cases throughout the Town of Warrenton. If voluntary compliance cannot be achieved, as a last resort, further enforcement and penalties shall follow the language below.

(b) Criminal

(1) Any person guilty of a violation of the provisions of this chapter or of the Uniform Statewide Building Code resulting in injury to a person shall be punished by a fine of not more than two thousand five hundred dollars ($2,500.00) unless a civil penalty applies as provided in subsection (b) of this section.

(2) Any person convicted of a second offense committed within less than five (5) years after a first offense shall be punished by a fine of not less than one thousand dollars ($1,000.00) nor more than two thousand five hundred dollars ($2,500.00).

(3) Any person convicted of a second offense committed within a period of five (5) to ten (10) years of a first offense of this chapter shall be punished by a fine of not less than five hundred dollars ($500.00) nor more than two thousand five hundred dollars ($2,500.00).

(4) Any person convicted of a third or subsequent offense committed within ten (10) years of an offense under this chapter shall be punished by a fine of not less than one thousand five hundred dollars ($1,500.00) nor more than two thousand five hundred dollars ($2,500.00).

(5) Any prosecution under this section shall be commenced within the period provided for in the Code of Virginia § 19.2-8.

(c) Civil

(1) The penalty for any violation of the Uniform Statewide Building Code not resulting in injury to a person shall be a civil penalty of $100 for the initial summons and $350 for each additional summons.

(2) Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any 10-day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of $4,000.

(3) Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance or the treasurer of the locality prior to the date fixed for trial in court. Any person so

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appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. As a condition of waiver of trial, admission of liability, and payment of a civil penalty, the violator and a representative of the locality shall agree in writing to terms of abatement or remediation of the violation within six months after the date of payment of the civil penalty.

(4) If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.

(5) If the violation concerns a residential unit, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court shall order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the Code. Except as otherwise provided by the court for good cause shown, any such violator shall abate, or otherwise remedy through hazard control, the violation within six months of the date of the assessment of the civil penalty.

(6) If the violation concerns a nonresidential building or structure, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court may order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the Code. Any such violator so ordered shall abate, or otherwise remedy through hazard control, the violation within the time specified by the court.

~~Sec. 4-33. Civil violations and penalties.~~

~~(a) There is hereby established civil penalties for violations of the following sections of the building code which are not abated or remedied promptly after receipt of notice of violation from the building official:~~

~~(1) VMC § 301.3 (Failure to maintain vacant structures in a clean, safe, secure, and sanitary condition);~~

~~(2) VMC § 302.7 (Failure to maintain accessory structures, including detached garages, fences, and walls structurally sound and in good repair);~~

~~(3) VMC § 304.2 (Failure to maintain exterior protective treatments in good condition);~~

~~(4) VMC § 304.13 (Failure to maintain windows, skylight, and door frames in sound condition, good repair, and weather tight);~~

(5) VMC § 304.15 (Failure to maintain doors in good condition).

(b) The penalty for violation shall be a civil penalty of one hundred dollars ($100.00) for the initial summons and three hundred fifty dollars ($350.00) for each additional summons. Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any ten (10) day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of four thousand dollars ($4,000.00). Designation of a particular code violation for a civil penalty under this section shall be in lieu of criminal sanctions, and except for any violation resulting in injury to persons, such designation shall preclude the prosecution of a violation as a misdemeanor.

(c) Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the locality prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. As a condition of waiver of trial, admission of liability, and payment of a civil penalty, the violator and a representative of the locality shall agree in writing to terms of abatement or remediation of the violation within six (6) months after the date of payment of the civil penalty.

(d) If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.

(e) If the violation concerns a residential unit, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court shall order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the code. Except as otherwise provided by the court for good cause shown, any such violator shall abate, or otherwise remedy through hazard control, the violation within six (6) months of the date of the assessment of the civil penalty. If the violation concerns a nonresidential building or structure, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court may order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the code. Any such violator so ordered shall abate, or otherwise remedy through hazard control, the violation within the time specified by the court.

(f) *Time limit for commencing prosecution.* Any prosecution under this section shall be commenced within the period provided for in the Code of Virginia § 19.2-8.

(Ord. No. 2022-1 , 6-14-22)

Sec. 4-33 – Reserved.

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Sec. 4-61. ~~– Dangerous Structures.~~ Abatement of unsafe, dangerous or unsanitary public or private buildings, walls or structures which constitute a menace to the health and safety of the occupants thereof or the public.

~~In addition to any other remedies provided by this Code or the Virginia Code, the town may protect public health, safety, and welfare by addressing dangerous structures as provided in this article. The owners of property in the town shall remove, repair, or secure any building, wall or any other structure that might endanger the public health or safety of other residents of the town at such time or times as the town council may prescribe by resolution or ordinance.~~

~~(Ord. No. 2022-1 , 6-14-22)~~

(a) A notice of unsafe structure, pursuant to the Virginia Maintenance Code, shall be reasonable notice for the purposes of Virginia Code § 15.2-1115 and this section.

(b) The Town may abate or obviate the unsafe structure if the owner fails to do so after notice as provided in subsection (a) of this section.

(c) If the Town abates or obviates the unsafe structure, the Town Treasurer shall charge and collect the cost thereof from the owner or owners, occupant or occupants of the property affected in any manner provided by law for the collection of state or local taxes.

Sec. 4-62 – Reserved. ~~Abatement~~

~~(a) After adoption of an ordinance or resolution under section 4-61 of this Code, the town through its agents or employees may remove, repair, or secure any building, wall, or any other structure that might endanger the public health or safety of other residents of the town, if the owner and lien holder(s) of such property have failed to remove, repair, or secure the building, wall or other structure, after the notice provided in this section has been sent and the time to act provided in that notice has elapsed.~~

~~(1) For the purposes of the section, repair may include maintenance work to the exterior of a building to prevent deterioration of the building or adjacent buildings.~~

~~(2) For the purposes of this section, reasonable notice includes a written notice (i) mailed by certified or registered mail, return receipt requested, sent to the last known address of service the property owner and (ii) published once a week for two (2) successive weeks in a newspaper having general circulation in the locality.~~

~~(b) No action shall be taken to remove, repair, or secure any building, wall, or other structure for at least thirty (30) days following the later of the return of the receipt or newspaper publication, except that the town may take action to prevent unauthorized access to the building within seven (7) days of such notice if the structure is deemed to pose a significant threat to public safety and such fact is stated in the notice.~~

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~~(c) In the event the town, through its own agents or employees, removes, repairs, or secures any building, wall, or any other structure after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the town as taxes are collected.~~

~~(d) Every charge authorized by this subsection or Virginia Code § 15.2-900 with which the owner of any such property has been assessed and that remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in articles 3 (§ 58.1-3940 et seq.) and 4 (§ 58.1-3965 et seq.) of chapter 39 of title 58.1, Code of Virginia. The town council may by resolution waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.~~

~~(Ord. No. 2022-1 , 6-14-22)~~

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Meeting:

For Information: **Building Official**

ATTEST:_____
Town Recorder

Draft

December 10th, 2024
Mayor H.E. Carter Nevill
PRO-24-12-01

A PROCLAMATION RECOGNIZING BRETT HAMBY FOR HIS DEDICATION AND SERVICE TO THE TOWN OF WARRENTON, VIRGINIA

WHEREAS, the Town Council of the Town of Warrenton is the legislative body charged, under the laws of the Commonwealth of Virginia and the Town Charter, to determine the needs of the citizenry and to establish the ordinances, policies, and budgets which determine the kind, manner, and cost of services to be delivered; and

WHEREAS, Brett Hamby was elected to the Warrenton Town Council in May of 2016 after serving on the Planning Commission for two years; and

WHEREAS, Mr. Hamby has served the Town of Warrenton with distinction as the elected Council Member for Ward 3, consistently advocating for the needs of residents and working to enhance the quality of life within the community; and

WHEREAS, Councilman Hamby helped usher the Town of Warrenton into the modern era by investing in our critical infrastructure and work spaces; and

WHEREAS, from his extensive background as a firefighter, Councilman Hamby was a strong advocate for those that put their lives on the line for our community; and

WHEREAS, Mr. Hamby has exemplified a life of public service, including 25 years with the Prince William Fire and Rescue Department, where he currently serves as a Battalion Chief, and through his lifetime membership with the Warrenton Volunteer Fire Department, embodying dedication to public safety and community care; and

WHEREAS, Brett has consistently balanced his professional commitments with his role in public office, bringing a unique perspective rooted in service, integrity, and leadership to his work on the Town Council; and

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton hereby recognizes and deeply appreciates the contributions of Brett Hamby for his dedication and service to the Town of Warrenton, Virginia, and its Citizens.

TOWN OF WARRENTON VIRGINIA

H. E. Carter Nevill
Mayor Town of Warrenton

Draft

December 10th, 2024
Mayor H.E. Carter Nevill
PRO-24-12-02

A PROCLAMATION RECOGNIZING JAMES HARTMAN FOR HIS DEDICATION AND SERVICE TO THE TOWN OF WARRENTON, VIRGINIA

WHEREAS, the Town Council of the Town of Warrenton is the legislative body charged, under the laws of the Commonwealth of Virginia and the Town Charter, to determine the needs of the citizenry and to establish the ordinances, policies, and budgets which determine the kind, manner, and cost of services to be delivered; and

WHEREAS, Mr. James Hartman was elected to the Warrenton Town Council in 2020 and elected the Vice Mayor in 2022; and

WHEREAS, Mr. James N. Hartman III, a lifelong resident of Warrenton, has devoted his life to public service, mirroring the dedication of his father, who also represented Ward 4 on the Town Council in the 1980s;

WHEREAS, Councilman Hartman Mr. Hartman honorably served in law enforcement for over 31 years, culminating in his retirement in 2020, and distinguished himself as a graduate of the FBI National Academy and DEA Drug Unit Commanders Academy; and

WHEREAS, Mr. Hartman has been an active and committed community leader, volunteering with numerous organizations, including his service on the Board of Directors for the Boys and Girls Clubs of Fauquier and as a past treasurer of Fauquier Cops for Children, embodying a spirit of service and compassion; and

WHEREAS, Mr. Hartman, in his role as Vice Mayor and representative of Ward 4, has worked tirelessly to preserve the small-town charm and high quality of life in Warrenton, reflecting his deep pride and care for the community he calls home; and

WHEREAS, his leadership has significantly contributed to shaping the Town's policies, fostering community connections, and upholding the values and priorities of Warrenton residents;

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton hereby recognizes and deeply appreciates the contributions of James Hartman for his dedication and service to the Town of Warrenton, Virginia, and its Citizens.

TOWN OF WARRENTON VIRGINIA

H. E. Carter Nevill
Mayor Town of Warrenton

Draft

December 10th, 2024
Mayor H.E. Carter Nevill
PRO-24-12-03

A PROCLAMATION RECOGNIZING HEATHER SUTPHIN FOR HER DEDICATION AND SERVICE TO THE TOWN OF WARRENTON, VIRGINIA

WHEREAS, the Town Council of the Town of Warrenton is the legislative body charged, under the laws of the Commonwealth of Virginia and the Town Charter, to determine the needs of the citizenry and to establish the ordinances, policies, and budgets which determine the kind, manner, and cost of services to be delivered; and

WHEREAS, Heather Sutphin was elected to the Warrenton Town Council in November of 2020, to fill the shoes of Councilmen Jerry Wood, a Virginia Delegate, who was stepping down; and

WHEREAS, she sought guidance form the former councilmen who often offered wisdom and guidance like 'you have to be open to all ideas when making decisions that are going to affect people.'; and

WHEREAS, Heather D. Sutphin has diligently served as the Ward 1 representative on the Warrenton Town Council, demonstrating a steadfast commitment to the welfare and advancement of the community she calls home; and

WHEREAS, Councilwoman Sutphin's diverse career, from her early service in law enforcement with the Fauquier County Sheriff's Office to her contributions in marketing, advertising, and real estate, has provided her with a wealth of experience and insight that she has brought to her role on the Town Council; and

WHEREAS, her leadership extends beyond governance to active involvement in community enrichment through her service with the Fauquier Historical Society, the Boys and Girls Club, and the Silent Auction Committee for the Warrenton Horse Show; and

WHEREAS, Ms. Sutphin has been an advocate for local businesses as a member of organizations such as the Fauquier County Chamber of Commerce and HGBA, and has shown unwavering support for public safety initiatives, including the Warrenton Town Police; and

WHEREAS, she has balanced her professional responsibilities with a love for Warrenton, regularly engaging in community events and fostering strong connections with residents alongside her family;

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton hereby recognizes and deeply appreciates the contributions of Heather Sutphin for her dedication and service to the Town of Warrenton, Virginia, and its Citizens.

TOWN OF WARRENTON VIRGINIA

H. E. Carter Nevill
Mayor Town of Warrenton

Draft

December 10, 2024
Town Council
Regular Meeting
RES-24-12-01

RESOLUTION TO APPROVE ZMA 2023-01 WARRENTON UNITED METHODIST CHURCH/HERO'S BRIDGE PURSUANT TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON
(GPINS 6984-16-5101 PORTION APPROXIMATELY 5.22 ACRES OF THE APPROXIMATELY 6.31 ACRE PARCEL, 6984-16-7013, 6984-15-1823 AND 6984-15-1930)

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street in the Town of Warrenton and hereinafter referred to as the "Property"; and

WHEREAS, the Applicants have applied for a Zoning Map Amendment to develop 22-two-family residential dwellings for a total of 44 units to provide affordable housing to veterans ages 65 and older; and

WHEREAS, the Application includes a Small Office/Community Center to be constructed; and

WHEREAS, The Applicants are requesting deviations from Zoning Ordinance requirements under the Virginia Supreme Court's ruling in *Rowland vs. Town of Warrenton* that "the General Assembly intended for these statutes to grant localities the authority to permit deviations from the requirements of a zoning ordinance by accepting voluntary proffers as part of a rezoning application"; and

WHEREAS, the Owner and Applicants submitted executed voluntary proffers dated September 20, 2024, and a Concept Development Plan dated September 19, 2024; and

WHEREAS, the Planning Commission held two public work sessions on ZMA 2023-01 on July 16, 2024 and August 27, 2024; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on September 17, 2024 and October 15, 2024; and

WHEREAS, the Planning Commission considered for approval of the zoning amendment based on voluntary proffers and Virginia State Code Section 15.2-2285; and

WHEREAS, the Warrenton Planning Commission recommended denial to the Town Council in a 3 to 1 vote, with one member absent; and

WHEREAS, the Owner and Applicants have submitted updated executed voluntary proffers dated October 30, 2024, Warrenton UMC Proposed Building Elevation dated March 16, 2023, Fitness Trail/Stations Exhibit dated October 22, 2024, and a General Development Plan dated October 30, 2024; and

WHEREAS, the Warrenton Town Council held a work session on ZMA 2023-01 on Tuesday, November 12, 2024; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicants for approval of a zoning amendment, the Town Council upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on Tuesday, December 10, 2024; and

WHEREAS, the Town Council considered for approval of the zoning amendment based on the Planning Commission recommendation, voluntary proffers and Virginia State Code Section 15.2-2285; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval found in Section 11-3.9.12 in the Town of Warrenton Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 10th day of December 2024, finds that ZMA 2023-01 serves the public interest as provided in Plan Warrenton 2040's Vision for providing housing options to meet people's needs at different stages of life, more specifically addressed in the Housing Chapter that calls for inclusive, diverse housing types that ensure equitable, attainable housing opportunities across all ages, incomes, and abilities of the community;

AND FURTHER RESOLVED, the Warrenton Town Council hereby approves ZMA 2023-01 subject to the executed voluntary proffers dated October 30, 2024, Warrenton UMC Proposed Building Elevation dated March 16, 2023, Fitness Trail/Stations Exhibit dated October 22, 2024, and a General Development Plan dated October 30, 2024.

Votes:

Ayes: **Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire**

Nays: **Mr. William Semple; Mr. Eric Gagnon;**

Absent from Vote:

Absent from Meeting:

ATTEST: _____

Stephen Clough, Town Recorder

Draft

December 10, 2024
Town Council
Regular Meeting
RES-24-12-02

A RESOLUTION TO AMEND THE FISCAL YEAR 2025 BUDGET BY $73,002 TO APPROPRIATE VDOT FUNDING FOR MAIN STREET IMPROVEMENTS

WHEREAS, the Warrenton Town Council is charged by the Code of Virginia with the preparation of an annual budget for the Town of Warrenton; and

WHEREAS, on June 11, 2024, the Town Council adopted the Town of Warrenton Fiscal Year 2025 Budget; and

WHEREAS, during the course of the fiscal year certain events occur that necessitate amending the budget to appropriate additional funds; and

WHEREAS, Town Staff and VDOT has reached an agreement for scope and cost estimate for the Main Street Improvement project (TC-008); and

WHEREAS, the VDOT Funding of $73,002 was not included in the Fiscal Year 2025 Adopted Budget; and

WHEREAS, the remaining funding will be appropriated as part of the Fiscal Year 2026 Adopted Budget; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Warrenton this 10th day of December 2024, that the Fiscal Year 2025 adopted budget is amended to appropriate $73,002 of VDOT funds as noted in the attached staff report; and

BE IT FURTHER RESOLVED that the Department of Finance is authorized to process the necessary budget adjustments required for this appropriation.

Votes:
Ayes: **Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire**
Nays:
Absent from Meeting:

For Information:
Budget Manager

ATTEST: _____
Town Recorder

Draft

Motion for Convening a Closed Session

Council Meeting Date: December 10th, 2024.

I move that the Council convene in closed session to discuss the following:

____ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:
____ Discussion, consideration or interviews of prospective candidates for employment or appointment; OR
____ assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town;
specifically dealing with _____ *[Give department, job title(s), or job category].*

____ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving:
____ discussion or consideration of the acquisition of real property for a public purpose; OR
____ disposition of publicly held real property
specifically involving _____ *[Give location of property]*, because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.

____ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.

____ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:
____ probable litigation involving :
____ the pending case of _____ *[Give case name]*,
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.

__X__ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to **legal problems that may arise from discussing and drafting conditions for a Special Use Permit.**

____ As permitted by Virginia Code § 2.2-371 l (A)(29), discussion of the award of a public contract for _____ *[Give nature of the contract]* involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.

____ As permitted by Virginia Code § _____, a matter involving:
_____.

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:
Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. Paul Mooney.
Nays:
Absent: Mr. James Hartman, Vice Mayor; Mr. David McGuire.

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CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes:
Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Eric Gagnon; Mr. Paul Mooney.
Nays:
Absent: Mr. James Hartman, Vice Mayor; Mr. David McGuire.

For Information:
Town Clerk

Effective date: December 10th, 2024.

Stephen Clough, Town Recorder

Draft

TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, February 11, 2025 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON FEBRUARY 11TH, 2025, AT 9:00 AM

Work Session	
PRESENT	Mr. Carter Nevill, Mayor; Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Chap Petersen Town Attorney.
ABSENT	Mr. Paul Mooney; Mr. David McGuire
Regular Meeting	Cancelled due to the weather with items postponed to March.

I. WORKSESSION - 9:00 AM

1. **Emergency Management Update**

Mr. Frank Cassidy, Town Manager, introduced Mr. Johnny Switzer, noting his role in revamping the Town's emergency management and response program. Mr. Cassidy stated that while the recent weather event was unplanned, the revamped program was working phenomenally well. Mr. Switzer was present to discuss Winter Storm Blair and provide an update on the current weather situation.

Mr. Johnny Switzer provided an overview of the Office of Emergency Management, highlighting its proactive approach to citizen response and recovery. Mr. Cassidy emphasized the importance of spot reports and emails in keeping Council informed, particularly regarding issues like Dominion power outages. He noted significant power outages during the last storm, Winter Storm Blair, with three power lines down in the Main Street area.

Mr. Switzer detailed the Town's preparedness efforts, including:

- **Chapter 20 of Town Code:** Establishes the Office of Emergency Management and its role in declarations and recovery efforts.
- **Emergency Operations Plan (EOP):** Adopted in 2022 and renewed every four years, this plan outlines five levels of response, with local declarations enabling coordination with

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the Virginia Department of Emergency Management (VDEM) and access to resources like the Army National Guard.

- **Continuity of Operations Plan (COOP):** This plan ensures town government continues running during emergencies, identifying successors for essential departments.
- **Community Water System Contingencies:** Plans are in place for water distribution centers if the water supply is impacted.
- **Dam Emergency Action Plans:** The Warren Reservoir and Airlie Reservoir dams have specific emergency action plans.
- **Radiological Emergency Response Plan:** In place due to the Town being within a 50-mile fallout zone.
- **Emergency Procedures Guide:** An internal guide for staff on general emergencies, fire, or evacuation.
- **Hazardous Weather Action Plan:** Used internally and for special event planning.

Councilwoman O'Halloran inquired about evacuation plans, and Mr. Switzer confirmed the Town falls under Fauquier County's and VDOT's broader evacuation plans.

Councilmember Kovalik asked about communication methods during emergencies, to which Mr. Switzer explained the use of Fauquier County's Rave system, capable of Wireless Emergency Alerts (WEA) via cell phones, TVs, and radio, with geo-fencing capabilities. He confirmed these systems would be used for water distribution or other public utility issues.

Winter Storm Blair Review Mr. Switzer reported that the Town was still recovering from Winter Storm Blair, which caused significant power outages and widespread tree damage. Internal questionnaires are being used to continuously improve response. A challenge identified was getting residents and businesses to clear their sidewalks, emphasizing the public safety risk, particularly for schoolchildren. Public Works and the Department of Community Development partnered to outreach to businesses, with approximately eighty percent complying once the impact was understood. The after-action report was attached for Council's review.

Councilmember Semple commended the creation of the Emergency Management Office in 2020, highlighting the value of having a thoughtful plan for early response.

Mr. Switzer clarified that the Town has an obligation to respond to all residents and facilities.

Warrenton COOP Mr. Switzer stated that the Continuity of Operations Plan (COOP) had a minor update and complies with Title 44 disaster laws. He noted that parts of the plan are not public due to safety and security concerns, but a closed session could be held for deeper discussion. Mr. Switzer explained that the plan was ready for Council approval at the next meeting.

Councilmen Kovalik questioned the COOP's relation to the comprehensive plan and if facilities like the WARF would be considered community facilities for continuity.

Mr. Switzer confirmed the COOP Tied into the comp plan and that facilities like the WARF could be vital (e.g., as a warming shelter during the ice storm).

Councilmember Semple asked if the WARF has backup power, and Mr. Switzer confirmed it has a generator sufficient to keep it operational.

Mr. Switzer informed Council about an impending storm forecasted to bring 5-6 inches of snow with ice and sleet, posing risks of additional power lines and tree damage. He recommended Council consider a local emergency declaration to trigger state assistance, procurement flexibility (allowing use of vendors without active purchase orders), and access to National Guard resources already staged in town. He noted that Governor Youngkin had already issued a state declaration. Such a declaration does not cost the Town anything.

Mayor Nevill inquired as to how the Town responds to isolated, unpredicted events without a state declaration.

Mr. Switzer explained that public safety plans are immediately activated, and the Town Manager can issue a state of emergency immediately, seeking Council verification later if feasibility is an issue due to time or severity. He clarified that a local declaration could initiate state-level coordination and potentially lead to a federal declaration if severity warrants.

Discussion ensued regarding rescheduling the evening meeting due to the weather. Mr. Switzer stated he could support either decision but noted it would be challenging for residents to attend.

Mr. Cassidy added that Town operations remain open, but the building might close to citizens for safety. He emphasized that a local declaration keeps the Town in line for FEMA funding regardless of county declarations. A new weather update indicated the county government and library would close at noon today, and freezing temperatures were expected until tomorrow afternoon with 5-6 inches of snow and a chance of ice/sleet mix.

Councilmember Semple proposed discussing the evening meeting cancellation now rather than waiting.

Mr. Stephen Clough, Town Clerk, clarified the options to the council for rescheduling. He Explained that a vote to reschedule a meeting with a public hearing component would keep the advertisement valid. He also explained that a special meeting has less rigid advertisement requirements.

The discussion of new business items and the ability to decide them in the work session was raised. The new Business item proposed was to initiate a Zoning Ordinance Text Amendment to remove Data Centers as an acceptable use.

Town Attorney, Mr. Chap Petersen, confirmed new business items not requiring public hearings could be taken up in the work session.

Mr. Cassidy cautioned against rushing decisions inconsistent with established policies, especially for new directions that haven't been vetted by staff or properly communicated to the public, citing potential liability.

Councilmen Semple argued that some new business is a continuation of prior discussions, highlighting the data center issue as an example of correcting past oversights in public participation.

Mr. Petersen advised that delaying a change to an ordinance if an application is filed for an allowable use could create problems.

Mr. Cassidy reiterated that no data center applications are currently in the pipeline and that the process for such developments takes years.

Councilmember Francis made a motion to direct staff and the Town Attorney to take all necessary actions to remove all references to data centers from all relevant sections of the Town Zoning Ordinance, prepare an appropriate text amendment, and take steps to publish requisite notices and schedule public hearings for this modification. The motion was seconded by Councilmember Kovalik.

Motion put forth by Councilmember Francis was to direct staff and the Town Attorney to take all necessary actions to remove all references to data centers from all relevant sections of the Town Zoning Ordinance, prepare an appropriate text amendment, and take steps to publish requisite notices and schedule public hearings for this modification.

Seconded by Councilmen Kovalik

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon.

Nays:

Abstention:

Absent: Mr. Paul Mooney; Mr. David McGuire.

The motion passed unanimously; Town Staff and the Town Attorney were directed to take all necessary actions to remove all references to data centers from all relevant sections of the Town Zoning Ordinance, prepare an appropriate text amendment, and take steps to publish requisite notices and schedule public hearings for this modification.

Following this, discussion returned to the weather impact on the evening meeting. Mr. Cassidy suggested continuing the meeting to March, allowing for a special meeting if urgent matters arise.

Councilmember O'Halloran made a motion to cancel this evening's meeting and to defer all actions until the March meeting.

The motion was seconded by Councilmember Francis.

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The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon.

Nays:

Abstention:

Absent: Mr. Paul Mooney; Mr. David McGuire.

The motion passed unanimously; the evening meeting was canceled and actions deferred to March

Mr. Switzer confirmed that the local declaration, if signed, would override snow emergency routes, making the public hearing tonight unnecessary.

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2. Planning Commission Update

Mr. Rob Walton, Director of Community Development, provided an update from the January Planning Commission meeting. Mr. Stewart was reelected as Chair, Terry Lasher as Vice Chair, and Ms. Doreen Barbour as Secretary. They adopted the 2025 meeting schedule (third Tuesday for regular meetings, fourth Tuesday for work sessions) and continued working on their bylaws. The 2024 annual report was attached. Mr. Walton offered to schedule a presentation in March if desired by Council. No questions were raised by Council.

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3. Preliminary Budget Discussion

Mr. Frank Cassidy, Town Manager, introduced the preliminary budget discussion, emphasizing the goal of greater Council engagement and collaboration in the budget process. He presented the budget as the Town's guiding document and roadmap for policies, highlighting the complexity of managing a town with over 10,000 residents, extensive water and sewer lines, trash services, and parks. He stressed that it is a "needs-based budget," reflecting fiscal conservatism and responsibility, rather than "wants-based," implying that any cuts would impact service levels.

Mr. Cassidy noted that this would be a difficult budget year and urged Council to work collaboratively to make hard decisions. He outlined staff's goals, which include transparency, continuous improvement, preserving Warrenton's "small town charm" and services, and maintaining a sustainable and flexible approach with integrity and empathy. He highlighted the staff's winning culture and dedication to the Town. He stated that the budget has been redesigned with a focus on continuous improvement, realistic projects, and respecting subject matter experts. He cited the Culpeper speed hump as an example of being "strong enough to say we made a mistake" and adapting to challenges.

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Mr. Cassidy described the Town's budget as a "three-legged stool," primarily supported by business taxes (meals tax, business license tax) which are volatile, contrasting with more stable general property taxes. He stated that 22 cents of every dollar is spent on capital, 21 cents on public works, and so on. Key focus areas for the budget include the wastewater treatment plant, water plant, roads, sidewalks, walkability, connectivity, sustainability, resiliency, and meeting minimum standards.

He then delved into specific financial challenges:

- Property Taxes: Historically, the Town's budget growth (38% in 10 years) has not kept pace with inflation or peer communities like Culpeper (97% growth). The current 4-cent property tax rate, a decrease from 18 cents historically, means an average property pays $400/year, which barely covers a fraction of services like trash pickup. Herndon, with a growth rate lower than Warrenton, has a property tax rate of 26 cents.

- Deferred Maintenance: Significant investments are needed for infrastructure, including roads and the wastewater treatment plant, due to past neglect.

- Sanitation Services: The Town is facing a $2 million project due to equipment issues with new "blue trucks." Options for a sanitation fee (e.g., $15/month) were presented to potentially shift pressure from the general fund.

- Budget Deficit: After preliminary cuts, there remains a deficit of $600,000-$700,000, primarily driven by inflation and increased service costs. Health insurance benefits, not yet factored, are expected to rise.

Mr. Cassidy encouraged Council to actively participate in the budgeting process through individual or group meetings, stating that staff were open to questions and new ideas. He explained that the "misguided attempts to fund unnecessary things" mentioned in the staff report referred to practices like using the I&I (infiltration and inflow) account as a "slush fund" for projects not properly budgeted, and unproductive "carryovers." He clarified that the statement about "fundamental government operations lost" refers to a national trend where government's basic functions (health, safety, welfare) are sometimes overlooked in favor of private property initiatives, stressing the need for a holistic approach to serving the entire community and managing external impacts like traffic from commuters.

Councilmember Semple requested line items for expenses to better understand financial conclusions. Mr. Cassidy confirmed this information would be provided and reiterated that proposed fee increases or tax adjustments are options for discussion, not final recommendations, and that cutting services would be the alternative.

Councilmen Kovalik questioned if special assessments could be levied on new growth or if programs like a "star program" for senior citizens could mitigate tax increases.

Mr. Cassidy stated these were good ideas for staff to research. Discussion on online sales tax collection and distribution was held, confirming that while sales tax revenue is distributed to localities, state-level changes (e.g., limiting meals tax) could impact the Town's revenue.

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Staff Report on Committees and an Additional Evening Meeting Combined Budget Summary

Mr. Cassidy addressed the topic of committees, referring to a list of existing committees that Town staff are already involved with. He explained that the current government model treats Council as a "committee of the whole," with information shared broadly rather than through a formal committee structure like Culpeper's, which is designed differently. He noted that adding more committees would strain staff resources, as Community Development staff, for example, are already working evenings for existing board and commission meetings.

Councilmember Semple argued that committees, especially those involving citizens, allow Council members to develop expertise on specific topics and provide a channel for direct citizen input, leading to better policy.

Mayor Nevill countered stating that successful committees are task-oriented with clearly defined missions and end goals, unlike standing committees which can become inefficient and lead to neglect of critical issues, citing past deferred maintenance due to "stagnant" committees.

The discussion explored whether liaison roles for Council members on existing boards, like the Planning Commission, might be a better approach than new formal committees.

Mr. Cassidy suggested that a Finance Committee could be a valuable action-oriented committee to assist with the budget.

Councilmember Gagnon asked about the estimated hourly costs for staff attending committee meetings, and Mr. Cassidy referred to existing spreadsheets for general cost estimates.

Councilmember Kovalik shared an example of a past Transportation Safety Committee with minimal staff, suggesting it could be a model.

Mr. Cassidy reiterated that staff is open to direct engagement with Council members for information and feedback, rather than necessarily needing more formal committees. He emphasized that citizen concerns often drive staff action, offering the example of the Culpeper speed hump, but decisions must adhere to national safety and VDOT rules. He requested more direct feedback on the information provided to Council.

Councilmen Semple requested the conversation shift to setting the slate for members of the Warrenton Commission on Open and Transparent Government.

Councilmember Semple introduced a topic to establish and populate the Town and Warrenton Commission on Open and Transparent Government . He proposed three citizen nominations: Mr. Mike Kokoszka (Ward 1), described as the HOA president in the Highlands area with extensive knowledge of Warrenton development issues ; Mr. David Norden, a 16-year former member of the town council ; and Mr. Ken Alm, a member of the county planning commission for several years and an advocate for the town, who runs a citizen group that reviews county-wide topics .

Councilmen Semple moved to approve these nominations to serve on the committee. Councilmember Gagnon seconded the motion and echoed positive comments about Mike Kokoszka 's knowledge and the strong backgrounds of David Norden and Ken Alm .

Councilwoman O'Halloran inquired if town employees would be involved or if the committee would stand alone .

Councilman Semple responded that town staff would be involved as required by the committee's activity. He clarified that the committee's objective would be to review past adjudicated applications for transparency and openness, not active applications, to avoid interfering with ongoing processes. He stated that the public would also be able to request reviews of certain town processes they felt lacked full transparency.

Vote on Commission on Open and Transparent Government Appointments: A motion was made to appoint the three named individuals and the two council members to this commission

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon.

Nays:

Abstention:

Absent: Mr. Paul Mooney; Mr. David McGuire.

The motion passed unanimously; Mr. Mike Kokoszka, Mr. David Norden, and Mr. Ken Alm were appointed to the Warrenton Commission on Open and Transparent Government.

---

4. Agenda Review

The Mayor noted there was no agenda to review as the evening meeting had been cancelled.

Mr. Cassidy agreed and requested liberty to discuss a few additional items. He brought up a discussion point regarding 18 Court Street, the Old Town Hall building. He explained that the County is exploring the possibility of converting the Warren Green building back into a boutique hotel, and 18 Court Street is being considered as an accessory space. He stated that No formal proposals have been made, but property appraisals are being sought.

Councilmember Francis expressed strong support, emphasizing the transformative economic development benefits for the Town and County, particularly addressing the shortage of hotel beds for events and tourism.

Councilmember Semple raised concerns about supporting infrastructure, specifically parking, and suggested a liaison committee for coordination.

Councilmember O'Halloran also approved the conversion due to the convenience for visitors.

Draft

Councilmember Gagnon raised the Arrington Voluntary Settlement Agreement, noting an upcoming court date of April 24, and questioned whether Council should take up the discussion now or hold a special meeting on the topic before the next regularly scheduled Council meeting.

Councilmember Semple recommended a special meeting solely for this topic to ensure proper publicization.

Mayor Nevill challenged the need for reversal, citing past Council approval (6-1 vote in December) and near-unanimous support from the Council of Local Governments.

Councilmember Kovalik argued that his concerns stem from the process by which the agreement advanced, noting a lack of Town Planning Commission involvement despite significant impacts on the Town, including transportation, commercial development traffic, and issues with the View Hill parcel's re-zoning history. He detailed concerns about the project's evolving density, wastewater treatment impacts, and competing with existing Town facilities, like the WARF pool. He emphasized that the County Planning Commission had recommended denial.

Councilmen Kovalik stressed that the motion aimed to bring proper public input to a matter that had been "improperly brought into the public forum" initially.

Mr. Stephen Clough, Town Clerk, confirmed that a special meeting could be advertised by Friday for the next week's paper or with 12 hours' notice online. He clarified that publication in a local paper is not required for a special meeting. He stated that the meeting could be held during the day to avoid impacting staff, with dates to be coordinated by the clerk.

The Clerk was directed to coordinate with the Council to set the date for the Special Meeting to discuss the Arrington Voluntary Settlement Agreement.

Councilmember O'Halloran requested a staff report for the special meeting on the impacts of withdrawing from the VSA, specifically on the opening of Taylor Middle School, the sewer lift station, and construction growth implications.

Mr. Petersen confirmed the April 24 trial date for the VSA and requested at least 30 days' notice from Council if a change in direction is decided to inform the three-judge panel before they begin reviewing materials. He also confirmed that a public hearing on an ordinance would be needed to reverse the previous ordinance.

ADJOURNMENT.

With no further business, this meeting was adjourned at 12:09 PM on Tuesday, February 11th, 2025.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on February 11th, 2025.

Draft

Stephen M. Clough
Town Recorder

Attachments:

1) Handouts to Council. February 11th, 2025.
2) Signed legislation.

Draft

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

February 11th, 2025, Regular Town Council Meeting Minutes

Attachment 1: Handouts to Council

Draft

Elected Officials Briefing

Winter Storm Harlow

February 11, 2025

Draft

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

SPOT REPORT: # 4	DATE: 2/10/24	TIME: 1800

Elected Officials Briefing: Winter Storm Harlow - Warrenton, VA

Subject: Winter Storm Harlow Impact and Local Emergency Declaration

Situation:

Winter Storm Harlow is expected to significantly impact the Warrenton area today and continue through early Thursday morning. Current forecasts predict heavy, wet snow, sleet, and ice accumulations ranging from six to ten inches. This precipitation, combined with potential ice accumulation, poses a significant threat to travel, infrastructure, and public safety.

State Response:

Governor Youngkin has proactively declared a state of emergency, enabling the Commonwealth to pre-position resources strategically. Warrenton has been selected as the staging point for the Virginia Army National Guard Debris Clearance teams. Additionally, chainsaw teams from the Department of Forestry, based in Charlottesville, are pre-positioned in the region.

Local Response and Emergency Declaration:

The Warrenton Office of Emergency Management (OEM) has been in constant communication with the Virginia Department of Emergency Management (VDEM) regional office. To effectively access state resources and coordinate response efforts, a local declaration of emergency is required. The OEM has drafted a local declaration for the Town Manager's consideration.

DRAFT

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

Benefits of a Local Emergency Declaration:

A local declaration of emergency provides several critical benefits:

- **Access to State Resources:** It formally activates the Town's emergency plan and serves as the trigger for requesting assistance from the state, including the National Guard, Department of Forestry, and other available resources. Without a local declaration, accessing these resources can be significantly delayed or even denied.
- **Streamlined Coordination:** The declaration facilitates seamless coordination with VDEM and other state agencies. This ensures a unified and efficient response to the storm's impact.
- **Liability Protection:** In certain circumstances, a declaration can offer some liability protection for the Town and its personnel acting in good faith during the emergency response.
- **Cost Recovery:** A declaration is often a prerequisite for seeking reimbursement from the state and federal governments for eligible emergency response costs. This can be crucial for recovering expenses related to snow removal, debris clearance, and other emergency services.
- **Public Messaging:** A declaration sends a clear message to residents about the seriousness of the situation, encouraging preparedness and caution. It also allows the Town to disseminate critical information more effectively through various channels.
- **Implementation of Emergency Measures:** The declaration empowers the Town to implement necessary emergency measures, such as travel restrictions, curfews (if needed), and the activation of emergency shelters.

Next Steps:

The Town Council will need to consider approving the proposed local declaration of emergency. The OEM recommends swift action to ensure the Town can effectively respond to the impending storm and access necessary resources. Further communication and briefings will be provided as the storm progresses and impacts become clearer.

Draft

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

- EM / EOC – Monitoring / Pre-Alert Yellow
- EOC Activation – Virtual 2/11 @ 0700
- Posted Snow Emergency Routes – In-Effect Tuesday 12 AM
- Local Declaration Drafted – Pending Review - Town Administration
- Regular Town Council Work Session Tomorrow – Still Being Held
- Public Works Staffed on 24 HR rotation effective tomorrow at 0700.
- EM / DPW Strike Team Staffed 0800 Tomorrow through the duration of the event
- Warming Shelter – No Plans currently for activation unless the need arises.

Please note:

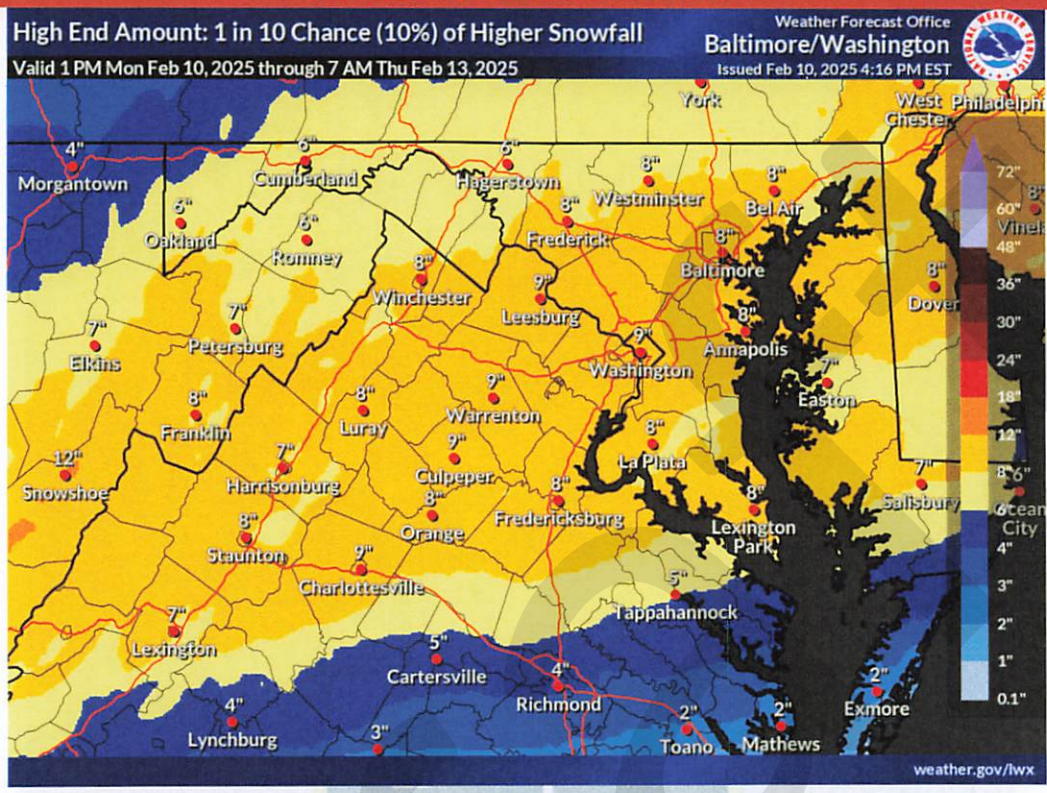
- This is a preliminary forecast and may change.
- Please monitor weather updates closely.
- Be prepared for potential travel delays and disruptions.

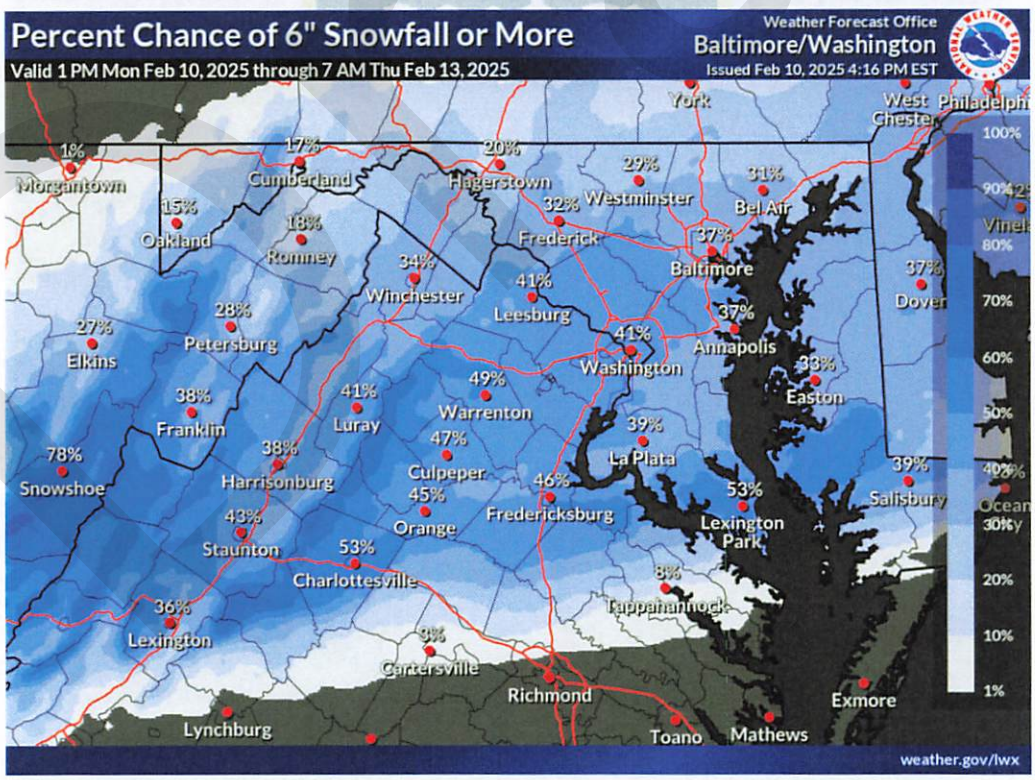
Timing:	▪ Tuesday - Tuesday night: Feb 11-12. ▪ Late Wednesday - early Thursday: Feb 12-13.
Impacts:	▪ Winter Storm Warning is in effect for impactful snow and/or ice Tuesday through Tuesday night. 6 – 10+ inches of heavy wet snow, sleet and ice. ○ Significant travel impacts and closures are possible across the entire area. ▪ There is a winter storm threat late Wednesday through early Thursday for the potential of impactful snow and ice.
Forecast Confidence:	▪ Confidence is high for snow/wintry mix Tuesday into Tuesday night. ▪ Confidence is medium for wintry precipitation occurring late Wednesday into Thursday, but low for snow/ice amounts.
Alert Level:	• Full Activation
Next Report:	• Final Report

DRAFT

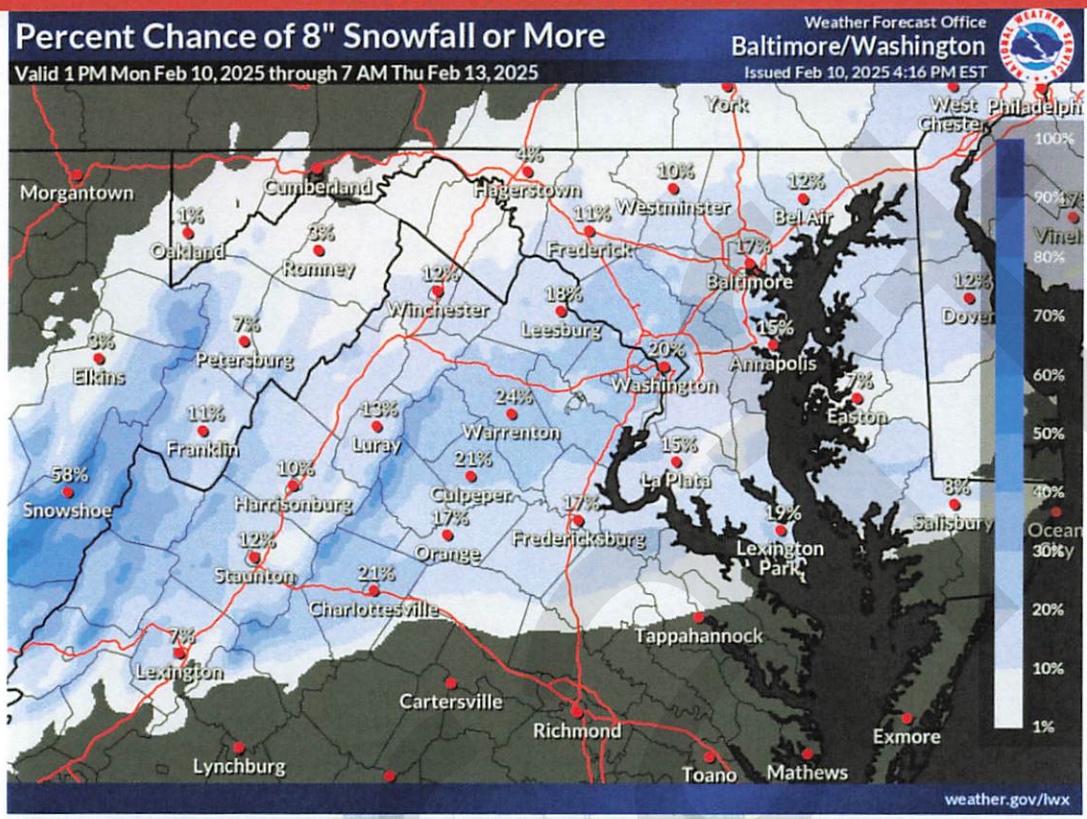
Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

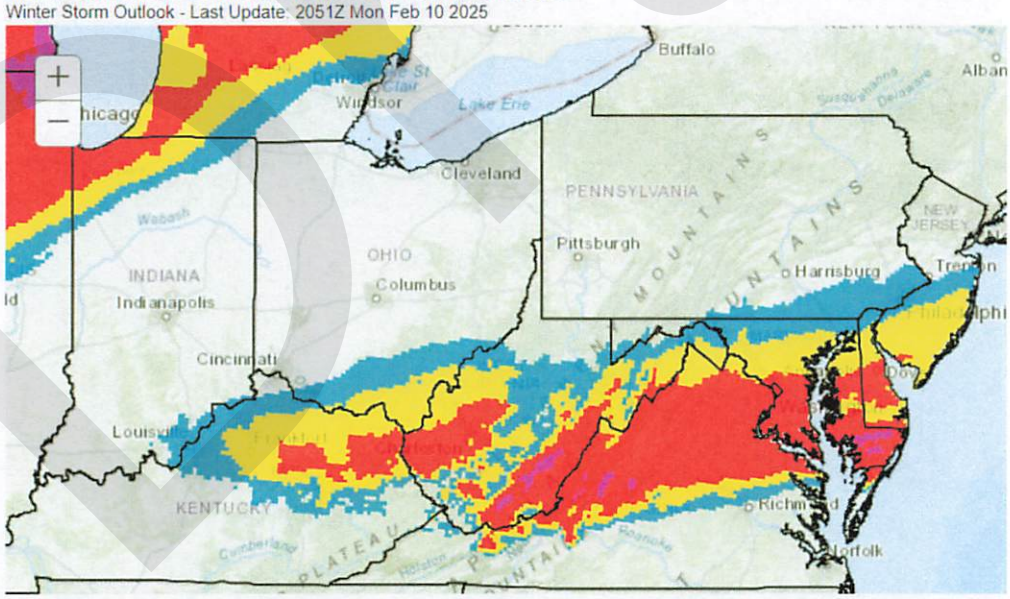




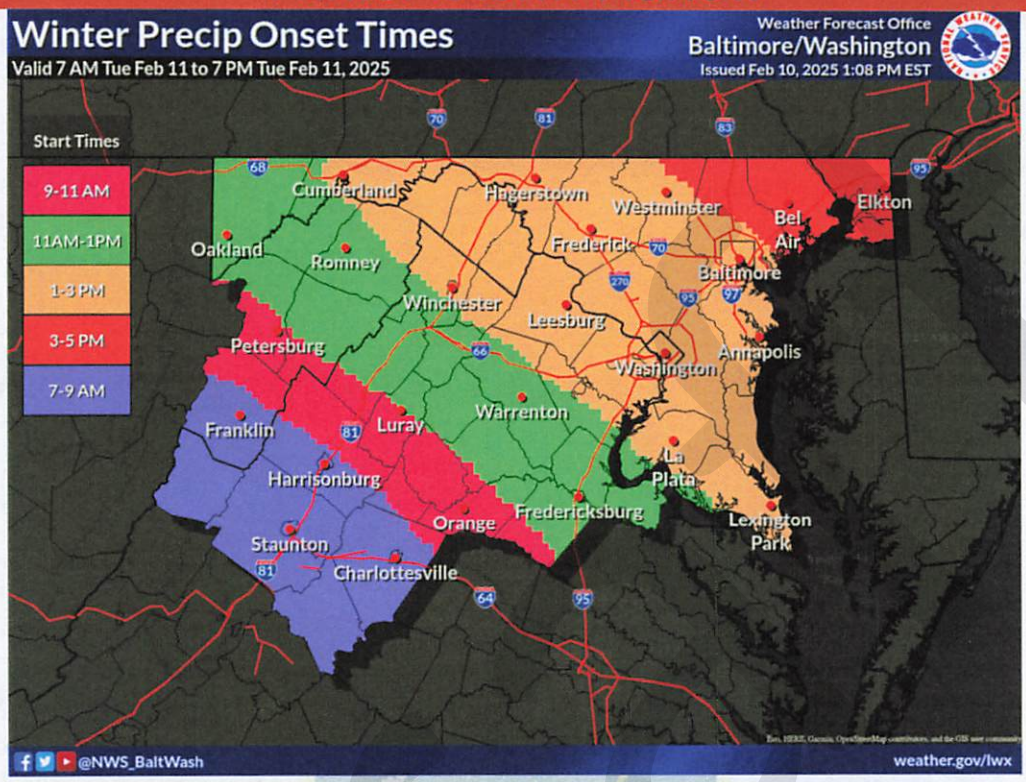
Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

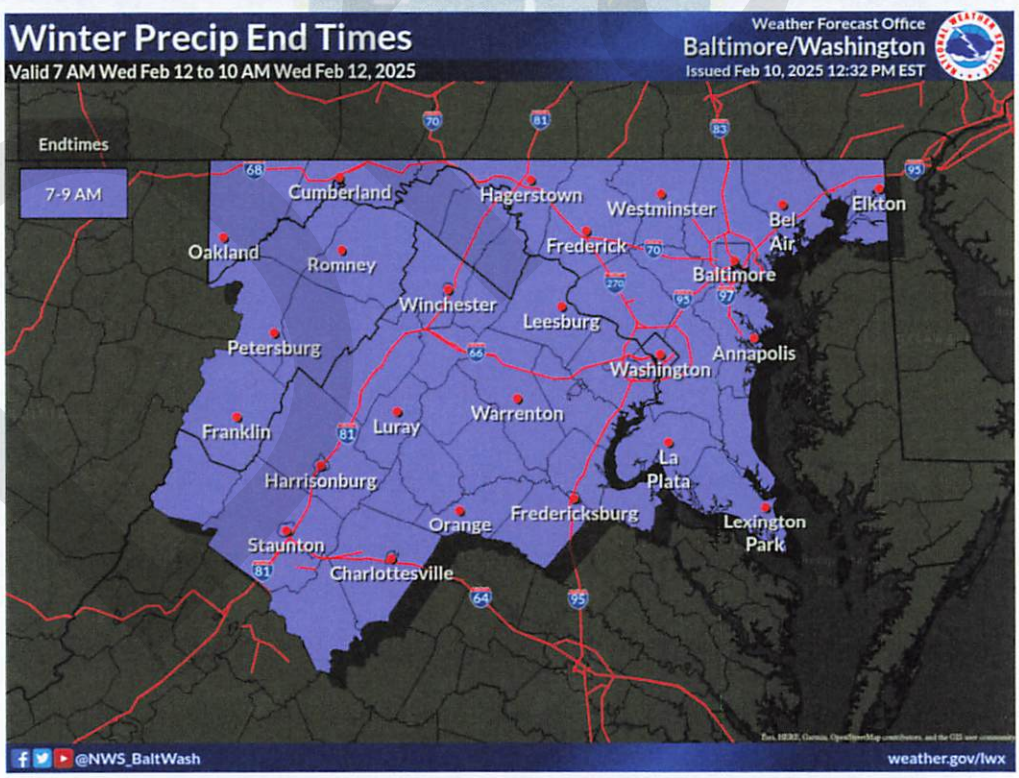


Winter Storm Outlook - Valid for the 4 Days ending 12Z Fri Feb 14 2025
Winter Storm Outlook - Last Update: 2051Z Mon Feb 10 2025



Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow





Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

Draft

Hazardous Weather Conditions

- Winter Storm Warning in effect from February 11, 11:00 AM EST until February 12, 07:00 AM EST
- Hazardous Weather Outlook

Current conditions at
Warrenton-Fauquier Airport (KHWY)
Lat: 38.59°N Lon: 77.72°W Elev: 302ft.

Fair
30°F
-1°C

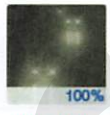
Humidity	65%
Wind Speed	NE 5 mph
Barometer	30.43 in
Dewpoint	20°F (-7°C)
Visibility	10.00 mi
Wind Chill	25°F (-4°C)
Last update	11 Feb 6:35 am EST

More Information:
Local Forecast Office
More Local Wx
3 Day History
Hourly Weather Forecast

Extended Forecast for
Warrenton VA

Click here for hazard details and duration

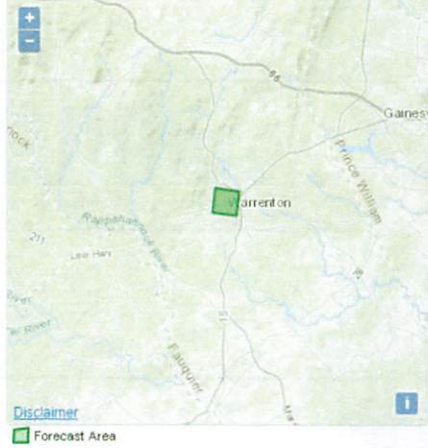
Winter Storm Warning

Today	Tonight	Wednesday	Wednesday Night	Thursday	Thursday Night	Friday	Friday Night	Saturday
								
50 % → 100 %	100 % 90 %	70%	100%					30 % → 80 %
High: 34 °F	Low: 28 °F	High: 34 °F	Low: 32 °F	High: 50 °F	Low: 26 °F	High: 40 °F	Low: 25 °F	High: 44 °F
Chance Snow then Snow	Snow then Wintry Mix	Wintry Mix Likely	Rain	Partly Sunny	Partly Cloudy	Sunny	Mostly Cloudy	Chance Rain/Snow then Rain/Snow

Detailed Forecast

Today	Snow, mainly after 1pm. High near 34. Calm wind becoming south around 6 mph in the afternoon. Chance of precipitation is 100%. Total daytime snow accumulation of 2 to 4 inches possible.
Tonight	Snow before 4am, then a slight chance of snow and freezing rain. Low around 28. Light and variable wind. Chance of precipitation is 100%. Little or no ice accumulation expected. New snow accumulation of 2 to 4 inches possible.
Wednesday	Snow, freezing rain, and sleet likely before 1pm, then rain and sleet likely between 1pm and 4pm, then rain likely after 4pm. Cloudy, with a high near 34. East wind 3 to 5 mph. Chance of precipitation is 70%. Little or no ice accumulation expected. New snow and sleet accumulation of less than a half inch possible.
Wednesday Night	Rain. Low around 32. Light and variable wind. Chance of precipitation is 100%. New precipitation amounts between a quarter and half of an inch possible.
Thursday	Partly sunny, with a high near 50. South wind 6 to 9 mph becoming west in the afternoon. Winds could gust as high as 20 mph.
Thursday Night	Partly cloudy, with a low around 26.
Friday	Sunny, with a high near 40.
Friday Night	Mostly cloudy, with a low around 25.
Saturday	A chance of rain and snow before 1pm, then rain. High near 44. Chance of precipitation is 80%.
Saturday Night	Rain. Low around 39. Chance of precipitation is 100%.
Sunday	Rain. High near 55. Chance of precipitation is 90%.
Sunday Night	Partly cloudy, with a low around 22.
Washington's Birthday	Mostly sunny, with a high near 36.

Topographic
Click Map For Forecast

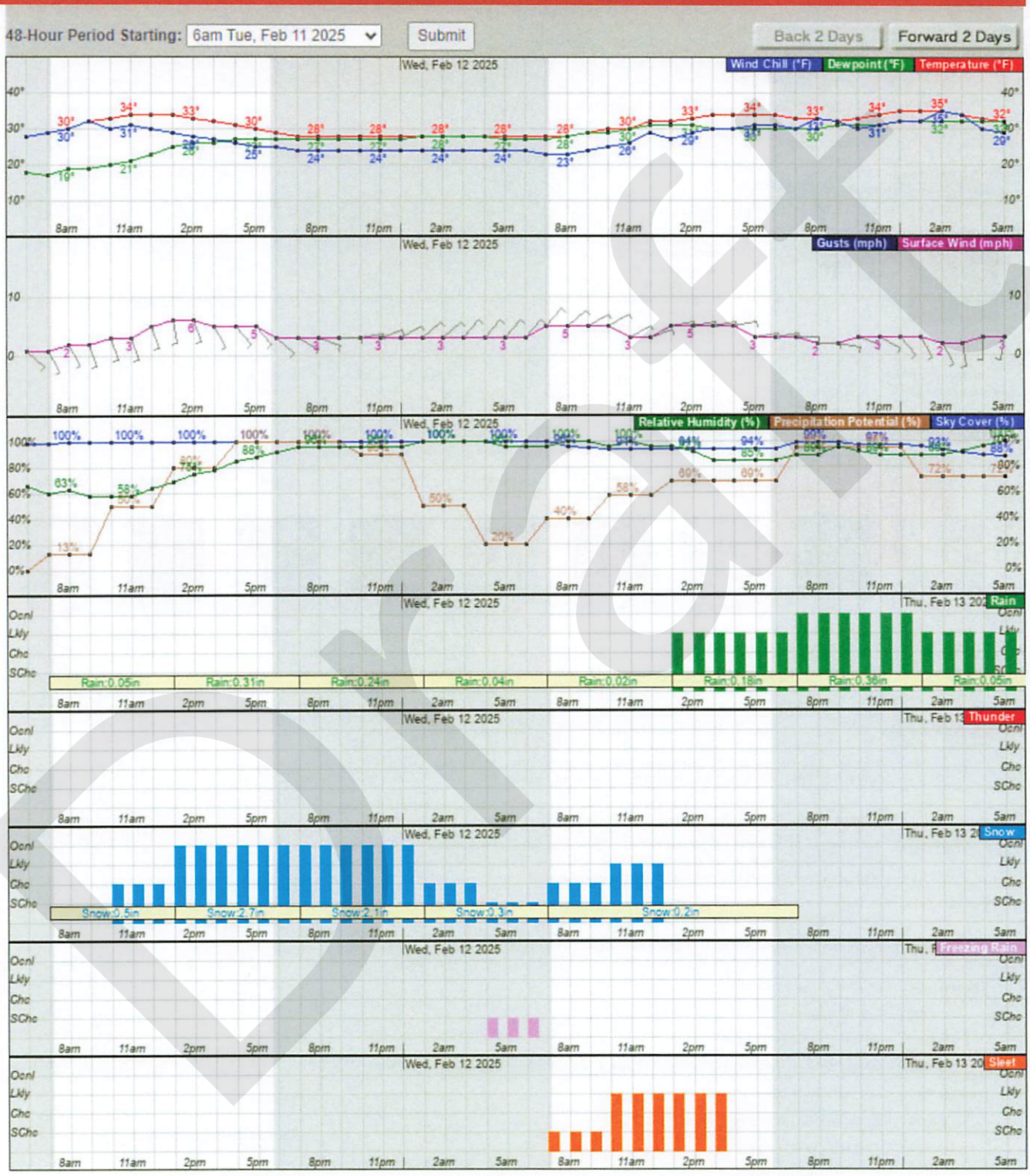


Forecast Area

ABOUT THIS FORECAST

Point Forecast: Warrenton VA
38.72°N 77.8°W (Elev. 600 ft)

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow



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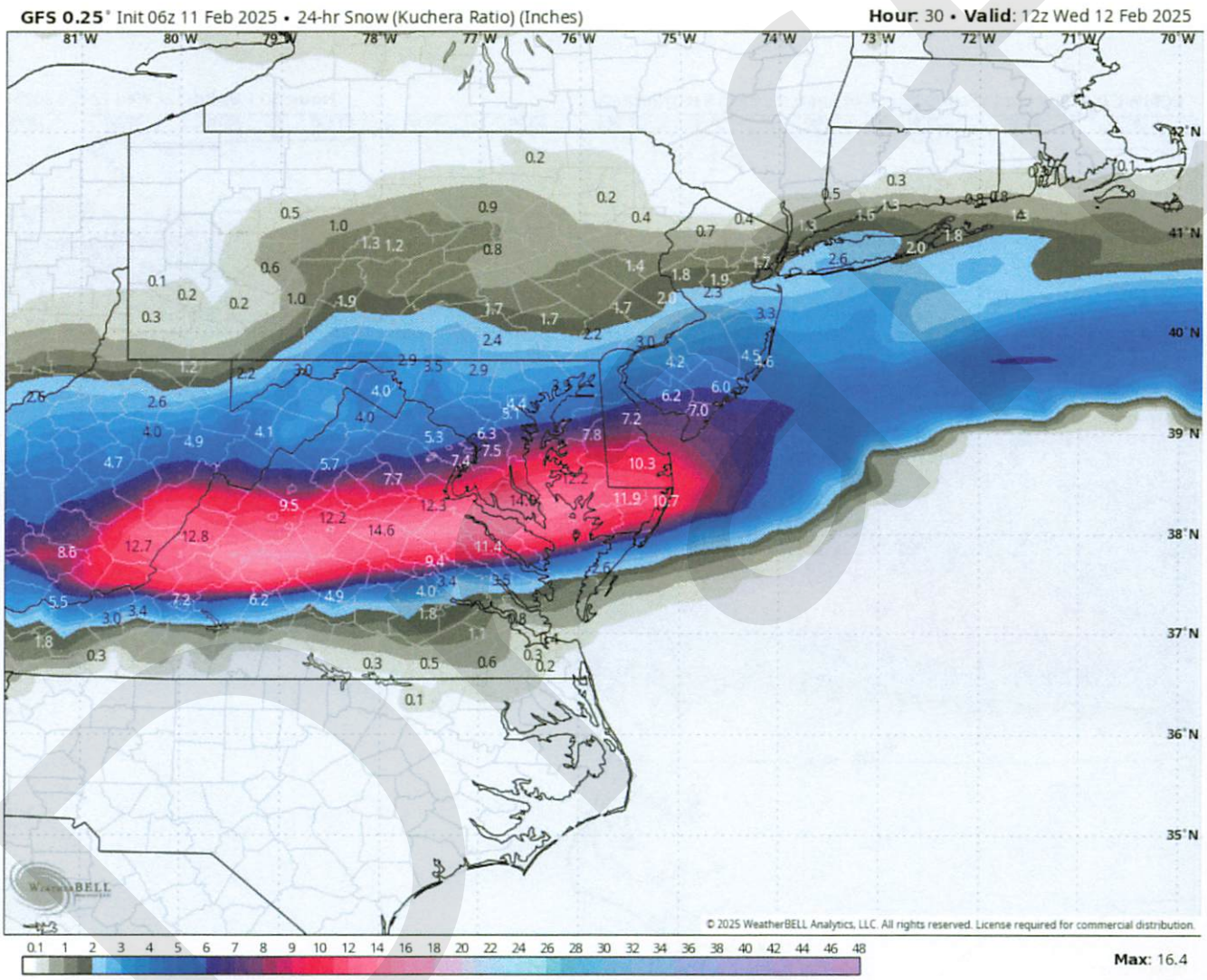
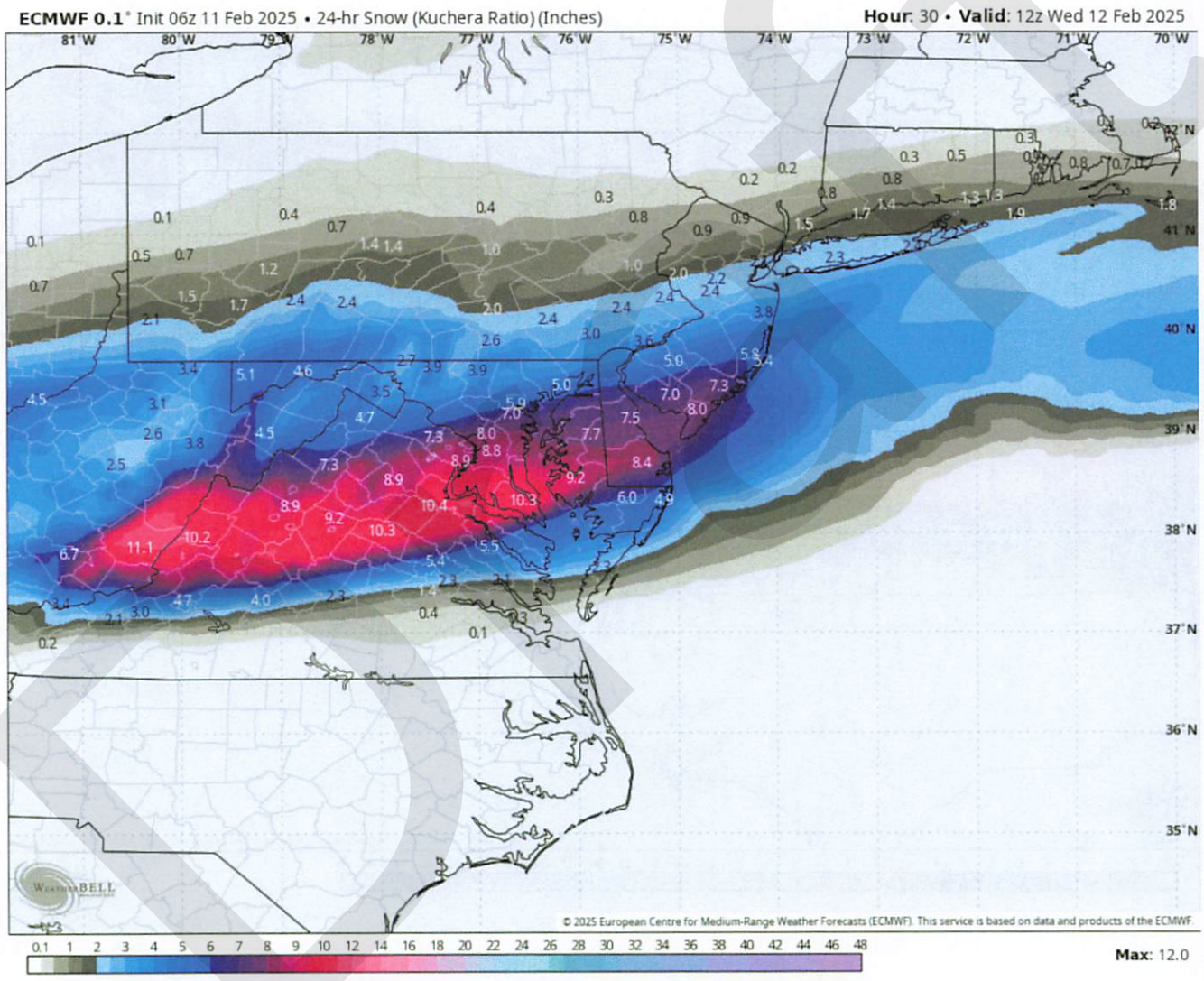
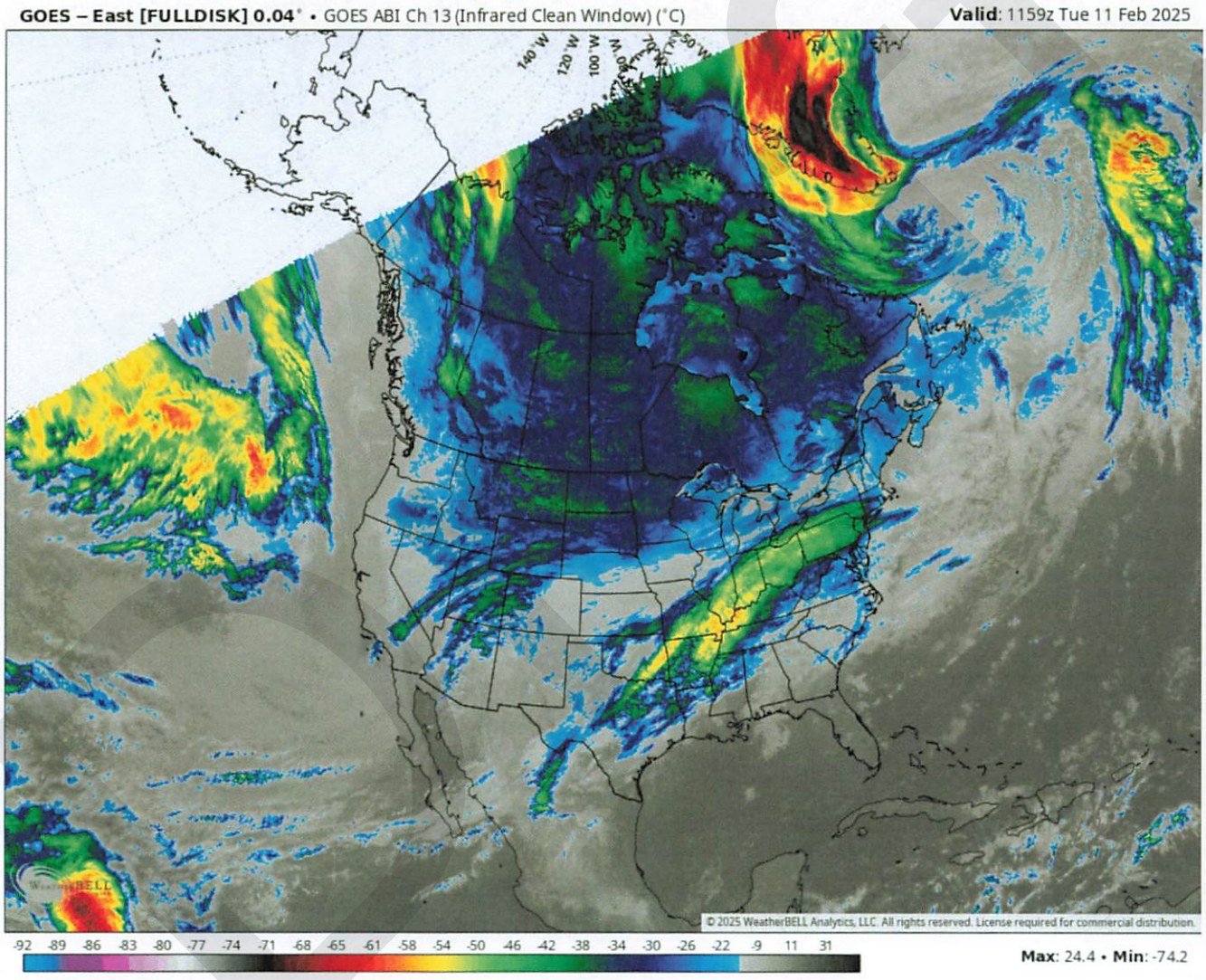
Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow



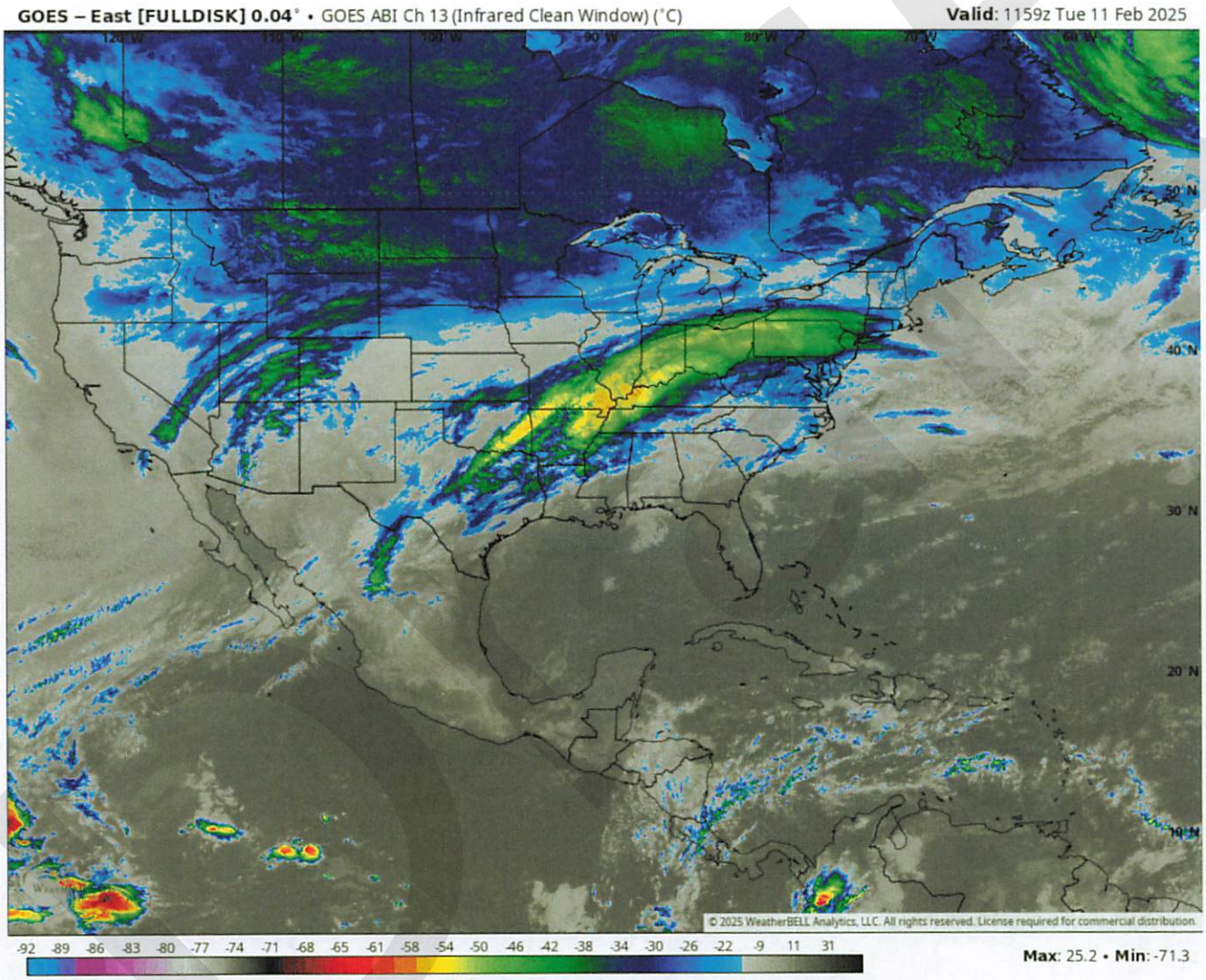
Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow



Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow



Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow



Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

Winter Storm Warning

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URGENT - WINTER WEATHER MESSAGE
National Weather Service Baltimore MD/Washington DC
429 AM EST Tue Feb 11 2025

VAZ027-029-030-040-051-501-502-WVZ055-502-112000-
/O.CON.KLWX.WS.W.0006.250211T1600Z-250212T1200Z/
Shenandoah-Page-Warren-Rappahannock-Culpeper-Northern Fauquier-
Southern Fauquier-Hardy-Eastern Grant-
429 AM EST Tue Feb 11 2025

...WINTER STORM WARNING REMAINS IN EFFECT FROM 11 AM THIS MORNING TO
7 AM EST WEDNESDAY...

* WHAT...Heavy mixed precipitation expected. Total snow
  accumulations between 3 and 6 inches and ice accumulations around
  a light glaze.

* WHERE...Portions of northern and northwest Virginia and eastern
  West Virginia.

* WHEN...From 11 AM this morning to 7 AM EST Wednesday.

* IMPACTS...Travel could be very difficult. The hazardous conditions
  could impact the Tuesday evening and Wednesday morning commutes.
  Roads, and especially bridges and overpasses, will likely become
  slick and hazardous.

* ADDITIONAL DETAILS...Snow will overspread the area late this
  morning into this afternoon, with the steadiest snow expected late
  this afternoon and evening. Snowfall rates of up to 1 inch per
  hour and visibility below one half mile are possible this
  afternoon and evening. A light wintry mix may continue into
  Wednesday.

PRECAUTIONARY/PREPAREDNESS ACTIONS...

If you must travel, keep an extra flashlight, food, and water in
your vehicle in case of an emergency. The latest road conditions for
the state you are calling from can be obtained by calling 5 1 1.

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$$
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Draft

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

TOWN OF WARRENTON
Office of Emergency Management
18 Court Street
Warrenton, Virginia 20186
http://www.warrentonva.gov
TELEPHONE (540) 680-9538
FAX (540) 349-2414

Snow Emergency Route Activation Order

Issued: Monday, February 10th, at 8:00 AM

Effective: Tuesday, February 11th, To Begin at 12:00 PM

The National Weather Service has issued a winter weather outlook regarding the accumulating snow potential across the area from Tuesday, February 11th through Wednesday, February 12th. The forecasted impact on the area is projected to be 5+ inches of heavy snow.

Pursuant to the provisions of Chapter 10, Article VI of the Town of Warrenton Code of Ordinances (specifically Sections 10-62 through 10-64), the Snow Emergency Routes are hereby declared to be activated on February 11th, at 12:00 PM. This order shall remain in effect for a duration of 48 Hours or until revoked. This order activates all designated Snow Emergency Routes within the Town of Warrenton.

Parking Restrictions

- Parking is strictly prohibited on all designated Snow Emergency Routes.
- Vehicles parked on Snow Emergency Routes during this Snow Emergency may be ticketed and towed at the owner's expense.

Designated Snow Emergency Routes

Alexandria Pike	East Shirley Ave.	Main Street
Blackwell Road	Falmouth Street	Waterloo Street
Broadview Avenue	Frost Avenue	West Shirley Ave.
Culpeper Street	Lee Highway	Winchester Street

Please comply with these parking restrictions to allow for efficient snow removal operations and ensure the safety of all residents.

For updates on the Snow Event, please visit the Town of Warrenton website at https://www.warrentonva.gov or contact the Emergency Management hotline at (540) 215-0054

Frank Cassidy
Town Manager

Draft

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

For Immediate Release: February 10, 2025
Contacts: Office of the Governor: Christian Martinez, Christian.Martinez@governor.virginia.gov

Governor Glenn Youngkin Declares a State of Emergency and Urges Virginians to Prepare in Advance of the Winter Weather

RICHMOND, VA - Governor Glenn Youngkin today declared a state of emergency in advance of the impending winter weather. He is urging all Virginians to take preparatory actions and heed the warnings from their local and state officials.

"With another round of winter weather across the state this week forecasted to bring heavy snow and ice, I am declaring a state of emergency so we can move resources around the state," **said Governor Glenn Youngkin.** "I urge all Virginians to monitor your local forecast and to prepare for possible impacts to roadways and infrastructure beginning overnight Monday throughout Tuesday."

The National Weather Service forecasts are predicting areas of accumulating snow, freezing rain, ice, and excessive rainfall that could cause flooding, power outages, and hazardous travel conditions. To coordinate the state's response activities, the Virginia Emergency Support Team will be activated.

If having to travel during the storm, drivers are reminded to do the following:

- **Use headlights**. Increasing your visibility helps you to avoid slick and dangerous spots on the road, as well as helps other drivers see you better.
- **Slow your speed**. Though state police works closely with the Virginia Department of Transportation (VDOT) to identify problem areas on Virginia's highways during a winter storm, drivers still must drive for conditions. Slowing your speed gives you more time to safely react and avoid a crash. Drive your vehicle based on your ability to properly maintain control of your vehicle.
- **Don't tailgate**. You need increased stopping distance on slick road surfaces. Give yourself more space between vehicles traveling ahead of you to avoid rear end collisions.
- **Buckle Up**. Most crashes that occur during winter weather are caused by vehicles sliding into guardrails, off the road or other vehicles. Wearing your seat belt protects you from being thrown around the inside of your vehicle and suffering serious injury in a crash.
- **Check Your Vehicle**. Make sure your vehicle is in good working order for the conditions. Fill up the tank in advance. Check windshield wipers, windshield wiper fluid, tire tread, battery life, etc.
- **Don't leave home** without a window scraper, blanket, bottled water, snack, cell phone charger and flashlight.

Draft

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

Frank Cassidy
TOWN MANAGER
T (540) 347-1101
fcassidy@warrentonva.gov

TOWN COUNCIL
H.E. Carter Nevill, Mayor
Paul W. Mooney
David A. McGuire
Roy Francis
William T. Semple II
Larry Kovalich
Mishele O'Halloran
Eric F. Gagnon

DECLARATION OF LOCAL EMERGENCY FOR THE TOWN OF WARRENTON, VA

WHEREAS, on February 10th, 2025, Governor Glenn Youngkin declared a state of emergency in the Commonwealth of Virginia based on National Weather Service forecasts indicating a severe winter weather threat with snow accumulations of 6 – 10 inches along with sleet, ice, freezing rain, and temperatures below freezing for several days that could cause transportation difficulties and power outages; and

WHEREAS, the National Weather Service has issued a Winter Weather Warning beginning 11:00 AM Tuesday, February 11, 2025, for the Town of Warrenton, forecasting 6 – 10 inches of heavy snowfall, sleet, and ice accumulation; and

WHEREAS, I, Frank Cassidy, as Town Manager for the Town of Warrenton, find that the imminent threat of severe winter weather and the potential for loss or interruption of vital Town services, public safety, water, sewer, and transportation, posed by this severe snow storm, constitutes a situation of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate any potential damage, loss, hardship, or suffering; and

WHEREAS, Chapter 20 of the Town of Warrenton Code of Ordinances addresses emergency management and disaster preparedness, specifically including Sec. 20-5 regarding the declaration of emergencies; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED on this 11th day of February 2025, effective 11:00 AM that an emergency does now exist throughout the Town of Warrenton, Virginia, and acting as Director of Emergency Management, I, Frank Cassidy exercise the authority given to me under Code of Virginia § 44-146.21, and the Town of Warrenton Code of Ordinances, Chapter 20, Section 5 to declare a local state of emergency that shall remain in effect until rescinded by a subsequent order; and

BE IT YET FURTHER PROCLAIMED that I shall present a resolution ratifying said declaration of local emergency at the next regular meeting of the Town of Warrenton Town Council on February 11th, 2025, pursuant to Code of Virginia § 44-146.21, and the Town of Warrenton Code of Ordinances, Chapter 20, Section 5.

IN WITNESS WHEREOF, I have here unto set my hand and caused the seal of the Town of Warrenton to be affixed this 11th day of February 2025.

_____ _____

Frank Cassidy
Town Manager

Date

DRAFT

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

VDOT News Release

VDOT Virginia Department of Transportation

NEWS RELEASE

VDOT.Virginia.gov

RELEASE: IMMEDIATE — Feb. 10, 2025
CONTACT: Lou Hatter — CULP 2025-022
540-717-2890 (cell)
Lou.Hatter@VDOT.Virginia.gov

Sharon Ketcham
540-829-7370 (office), 540-717-8376 (cell)
Sharon.Ketcham@VDOT.Virginia.gov

WINTER STORM BRINGING SNOW AND ICE TO CENTRAL VIRGINIA

Plan travel around the storm and stay off the roads during and after the snowfall

CULPEPER — Snow and ice are forecast to move into the Culpeper District beginning Tuesday morning and stretching into Wednesday afternoon. The National Weather Service issued a Winter Storm Warning today for much of the Piedmont region through Wednesday afternoon.

The storm is expected to bring 7 to 9 inches of snow, sleet, and freezing rain to the region making for hazardous driving conditions. VDOT crews are brining Interstate 64 and Interstate 66 today and are staging crews across the area to work around the clock in 12-hour shifts. Drivers should be cautious around heavy equipment pretreating the roadways and allow plenty of room for them to work.

Make your final preparations today and plan travel around the storm. Once the snow starts falling, stay off the road to allow our crews to push snow and treat roadways as needed to make them passable.

Safety and Travel Resources

When winter weather arrives, residents and motorists should plan travel ahead of time, check road conditions, prepare an emergency car kit, follow forecasts and announcements and limit travel based on conditions.

Prior to travel, motorists should visit 511.vdot.virginia.gov, call 511 or check the 511 Virginia

Draft

Town of Warrenton, Virginia
Office of Emergency Management
Winter Storm Harlow

Dominion Power Update

Good evening:

As we look to the next few days, we've been advised by our weather team that snow will advance over our Virginia service territory between 9:00am and 2:00pm Tuesday, with most areas seeing snow by afternoon. As is consistent with our planning, we've increased our outage threat level to significant for portions of Dominion Energy's service territory that may lead to a multi-day winter storm restoration event.

One of our greatest concerns is heavy wet snow that could occur tomorrow afternoon and into evening while surface temperatures remain 33-35°. With little wind expected 3+ inches of this snow could bring areas of significant service interruptions. The outage window looks most likely after 4:00pm Tuesday afternoon and lasting through the night.

We have spent the last several days stockpiling equipment and supplies and mobilizing our crews in preparation for the storm. We're deploying hundreds of crews and bucket trucks to field offices throughout the day, and we're prepared to bring on additional crews as needed. We will work as safely and quickly as possible to restore our customers' power.

The Dominion Energy app is the easiest way to report outages and track restoration. If you lose power, there are three easy ways to report your outage and track your restoration time: 1) Dominion Energy mobile apps, iPhone and Google; 2) Dominion Energy website; or 3) Call 866-DOM-HELP (866-366-4357).

As always, we are reminding our customers to stay away from downed poles and power lines. If you see a downed pole or wire, please report it by calling 866-DOM-HELP and stay at least 30 feet away. The line could be energized and dangerous.

Prepare food, water and emergency supplies. Before any storm, it's always good to have bottled water and non-perishable food on hand, as well as emergency supplies such as flashlights, batteries, first aid kits and medications. Fully charge your phone, computer and other electronic devices before the storm arrives. Consider purchasing portable batteries to extend the life of your devices.

If you need anything during this event, please do not hesitate to let me know. Please stay safe.

Jeanne

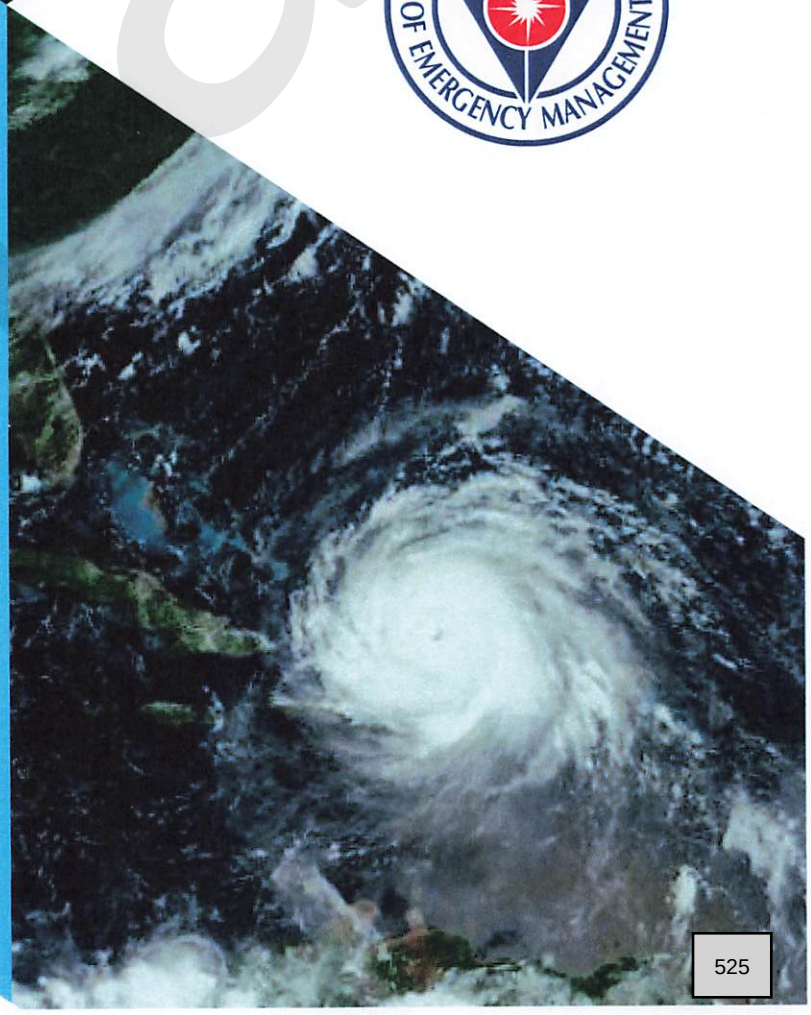
Jeanne Underwood, *LPW '18*
External Affairs Representative – Piedmont, Virginia Region
571-926-4050 (mobile)

Draft

LOCAL GOVERNMENT OFFICIALS' GUIDE

to Emergency Management

VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT



The Virginia Department of Emergency Management (VDEM) developed this guide as a resource for local government officials to use before, during, and after a natural or human-made disaster. VDEM is the lead state agency charged with coordinating disaster prevention, protection, mitigation, response, and recovery efforts across the Commonwealth. We stand ready to assist wherever and whenever needed.

This guide will introduce you to local emergency management concepts, and will outline your responsibilities and those of your local emergency manager. Creating a relationship with your local emergency manager is the first – and the most important – step in the emergency management process.

As a local government official, how your locality responds to a disaster will influence how citizens, government, the private sector, volunteer organizations, and the media perceive, respond to, and recover from the event.

Some of the responsibilities of your local emergency management agency include:

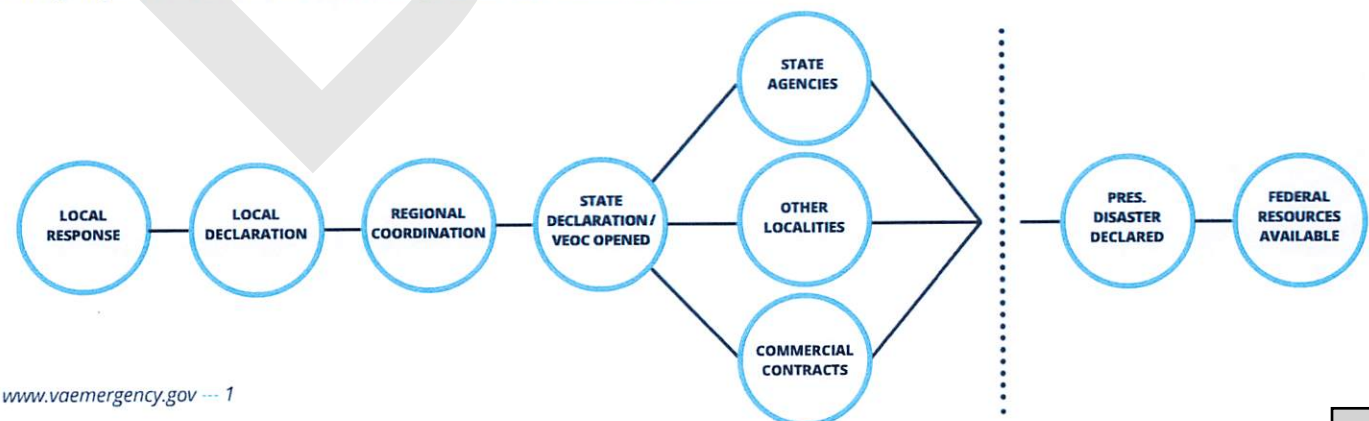
- identifying hazards and evaluating risk;
- developing emergency operations plans;
- testing emergency operations plans through training and exercises;
- connecting representatives from internal and external agencies;
- building relationships with nearby localities;
- communicating critical information to the public;
- coordinating all local resources before, during, and after an event;
- working with your locality's agencies to establish shelters;
- knowing your locality's VDEM regional contact, and
- managing your local emergency operations center.

Understanding the Disaster Process

The management of all emergencies and disasters starts at the local level, which is why your role is so important. If your locality does not already have mutual aid agreements with other localities, we highly encourage you to begin that process, since those localities may often be your first resource before, during, or after a disaster.

When local resources become overwhelmed by an incident, including the resources of those localities with which you have mutual aid agreements, become overwhelmed by an incident, your local emergency manager will contact your respective VDEM Chief Regional Coordinator for further assistance. From there, VDEM regional staff will work with VDEM headquarters, the Virginia Emergency Operations Center (VEOC), other localities, and other state agencies to attempt to fill your resource requests. The state will provide commercial contract information to the locality if necessary.

Federal resources are available only if the President declares a federal disaster, which may happen days or weeks after the emergency. The basic federal declaration process overview is diagramed below.



FIVE OVERLAPPING MISSION AREAS OF EMERGENCY MANAGEMENT

VDEM works with local, state and federal entities and volunteer organizations to provide resources and expertise through the following five mission areas of emergency management.

1&2 Prevention & Protection

Prevention and protection often overlap. They involve the capabilities needed to avoid, prevent or stop a natural or human-made disaster. Capabilities include planning, public information and warning, risk management, operational coordination, intelligence gathering, and information sharing.

As a local government official, there are several important steps you can take to prepare yourself and your community for emergencies and disasters, such as:

- Understanding the National Incident Management System (NIMS). Localities are not eligible for federal funds if they do not meet specific state and federal requirements, such as NIMS compliance. The Department of Homeland Security (DHS) created NIMS to provide a comprehensive and consistent approach to incident management.
- Participating in NIMS classroom training from VDEM, including ICS-402: ICS Overview for Executive and Senior Officials, and IS-908: Emergency Management for Senior Officials.
- Getting involved with your local emergency operations plan. The Code of Virginia requires each jurisdiction to maintain and keep current an emergency operations plan that should be revisited and exercised regularly.

Code of Virginia Related to Prevention & Protection § 44-146-.19 P. 25 --- (D) "The director ... may, in collaboration with (i) other public and private agencies within the Commonwealth or (ii) other state or localities within other states, develop mutual aid arrangements for reciprocal assistance in case of a disaster too great to be dealt with [alone]. Such arrangements should be consistent with state plans and programs, and it shall be the duty of each local organization for emergency management to render assistance in accordance with the provisions of such mutuai aid arrangements."

(E) "Each local and interjurisdictional agency shall prepare and keep current a local or interjurisdictional emergency operations plan for its area. The plan shall include, but not be limited to, responsibilities of all local agencies and shall establish a chain of command ... "

" ... Each political subdivision having a nuclear power station or other nuclear facility within 10 miles of its boundaries shall, if so directed by the Department of Emergency Management, prepare and keep current an appropriate emergency plan for its area for response to nuclear accidents at such station or facility."

3 Mitigation

Mitigation involves the capabilities necessary to reduce the loss of life and property by lessening the impact of disasters. Capabilities are similar to prevention and protection and include planning, public information and warning, operational coordination, community resilience, long-term vulnerability reduction, risk and disaster resilience assessment, and threat and hazard identification.

As a local government official, you should be aware of the mitigation issues in your community. Learn about the high-risk areas, the existing or potential mitigation projects, and how they are funded.

4 Response

During a disaster, when your locality is about to be overwhelmed, you should consider declaring a local emergency, which gives your emergency manager and first responders more tools and resources to manage the event. In addition, the Governor may declare a state of emergency to activate additional state agency assistance. In some cases, the Governor may make an emergency declaration prior to a disaster, such as a hurricane, which allows the Governor to pre-deploy resources. A Governor's declaration of emergency is required in order to pursue a federal disaster declaration, which opens up federal financial assistance and resources.

Code of Virginia Related to Response § 44-146-.21 P. 27 --- (c1) "Whenever a local emergency has been declared, the director of emergency management ... may control, restrict, allocate or regulate the use, sale, production and distribution of food, fuel, clothing and other commodities, materials, goods, services and resource systems which fall only within the boundaries of that jurisdiction and which do not impact systems affecting adjoining or other political subdivisions... "

5 Recovery

Recovery involves all of the cleanup, repair, and financial assistance needed to return an area back to pre-disaster conditions. It will take time and a community-wide effort to recover from a disaster. The main priorities following a disaster are:

1. Ensuring life safety;
2. Addressing the needs of critical infrastructure; and
3. Assessing damage.

After initial response efforts, your community must determine the scope and magnitude of damage caused by the event. Depending on the severity of the incident, damage assessments must be submitted to the Virginia Emergency Operations Center within 72 hours, as referenced in the Commonwealth of Virginia Emergency Operations Plan (COVEOP). As a local government official, you should get regular briefings on the extent of damage and the status of the recovery process from your local emergency manager. These briefings will help you answer questions from your constituents and the media, and will help ensure that your locality is meeting the 72-hour reporting deadline.

Given the complexity and corresponding timelines, it is beneficial to establish a long-term recovery plan prior to a disaster. There are many non-profits, faith-based groups, and volunteer organizations such as the Virginia Voluntary Organizations Active in Disaster (VOAD) that can assist with recovery efforts. Creating relationships with these groups beforehand can prove helpful when a disaster strikes.

If the damage appears significant, then a team of state and federal personnel may visit the area to perform additional assessments. VDEM's regional staff members will be in the field assisting you and your team with damage assessments, and will help facilitate the interaction with federal agencies.

If the damages appear to meet state and federal criteria, the Governor may request a federal declaration. Only the President of the United States has the authority to approve the request, and an approval is not automatic.

A federal declaration will identify localities eligible to receive federal assistance. There are two main types of federal disaster assistance: public assistance and individual assistance.

Public Assistance for state and local governments and certain non-profits — Public Assistance reimburses local and state governments and certain private non-profits for the expenses involved in response and recovery efforts.

Public Assistance involves federal reimbursement with a percentage matched by state and local funds; the match proportion takes the scale of the disaster and the community stress index into consideration. In Virginia, state and local governments will combine funds to match 25 percent of the federal reimbursement amount. How much the local government will contribute depends on its fiscal position.

To be eligible, projects must (1) be the result of the disaster, (2) be located within the designated disaster area, and (3) be the legal responsibility of the applicant. Projects that may be reimbursed include:

- Debris removal from public roads and rights-of-way and from private property when determined to be in the public interest. Encourage your locality to develop a debris removal plan in advance of an emergency. Note: debris removal from private property is the property owner's responsibility, unless the debris poses a hazard to the community at large.
- Localities are encouraged to create a FEMA-approved debris management plan. Having an approved plan increases the likelihood of collecting a greater federal cost share for debris removal following a federally-declared disaster. Localities should contact their VDEM Chief Regional Coordinator for further information on establishing a FEMA-approved debris management plan.
- Emergency protective measures, including search and rescue, hazard warnings, and unsafe structure demolition. Proactive zoning and ordinance issues can play pivotal roles in the success of recovery and rebuilding efforts.
- Public infrastructure repair, including roads, bridges, water control facilities and public utility distribution systems.

Individual Assistance for citizens and businesses — By law, federal assistance to individuals cannot duplicate any coverage provided by private insurance. For those without insurance, there are two primary routes for assistance: low-interest loans and "individual assistance." Funding for individual assistance projects must also be approved by the President of the United States, but historically is reserved for the most devastating of incidents. Therefore, the majority of assistance to individuals comes through low-interest loans from the Small Business Administration (SBA).

There are other federal assistance programs that may be activated subsequent to an event, and VDEM can help provide information when those become available.

If individual assistance is available, VDEM will work with your locality and will help coordinate federal resources to ensure the timely and accurate communication of information.

DRAFT

Virginia Emergency Laws

There are several statutes in the *Code of Virginia* that pertain to emergency management. The most relevant are located in Title 44 starting at § 44-146.13. This section is known as the Emergency Services and Disaster Laws, and the two following subsections are critical for local government officials:

Authority §44-146.19 --- (A) "Each political subdivision in the Commonwealth shall be within the jurisdiction of and served by the Virginia Department of Emergency Management and be responsible for local disaster mitigation, preparedness, response and recovery. Each political subdivision shall maintain in accordance with state disaster preparedness plans and programs an agency of emergency management which, except as otherwise provided under this chapter, has jurisdiction over and services the entire political subdivision."

Declaration of local emergency §44-146.21 --- (A) "A local emergency may be declared by the local director of emergency management with the consent of the governing body of the political subdivision. In the event the governing body cannot convene due to the disaster or other exigent circumstances, the director, or in his absence, the deputy director, or in the absence of both the director and deputy director, any member of the governing body may declare the existence of a local emergency, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whichever occurs first. The governing body, when in its judgment all emergency actions have been taken, shall take appropriate action to end the declared emergency."

Public and Media Inquiries

One of your primary responsibilities as a local government official is to help manage public expectation regarding your locality's role during or after a disaster. Your ability to quickly communicate accurate information is essential, and understanding your locality's emergency operations plan will help you answer questions more confidently throughout the process.

What you say to the media or share through social media, can significantly impact the public's perception of your response and recovery efforts, as well as the public's response following a local or state directive. If the Virginia Emergency Operations Center (VEOC) is activated, the Joint Information Center is a good resource for local Public Information Officers (PIOs) and government officials to ensure messaging is unified and consistent across the Commonwealth. You can support response agencies and reassure the public by communicating:

- Confirmed facts;
- Actions taken by emergency responders and community leaders;
- How the public can help; and
- What to expect next (hours, days, weeks).

Citizen Preparedness

Emergency officials will respond quickly after a disaster but they cannot reach everyone right away. You should encourage your citizens to be prepared to be self-sufficient for at least 72 hours after a disaster. Pertinent information should be shared via various media platforms to reach the widest possible audience. VDEM produces numerous informational publications that can be found at VAemergency.gov/threats. Social media can be extremely useful before, during, and after a disaster. Also, please encourage your citizens to sign up for your local mass notification system such as Reverse 911 and CodeRED.

For more information about how your citizens can prepare, visit: ***VAemergency.gov*** ***VAemergency*** ***@VDEM***

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

February 11th, 2025, Regular Town Council Meeting Minutes

Attachment 2: Signed legislation

Draft

February 26th, 2025
Mayor H.E. Carter Nevill
PRO-25-02-01

A PROCLAMATION RECOGNIZING 100TH ANNIVERSARY OF THE OPENING OF FAUQUIER HOSPITAL

WHEREAS, The first hospital in Fauquier County, known as Fauquier County Hospital, opened in 1925, at 32 Waterloo Street; and

WHEREAS, at the closure of Fauquier County Hospital a second hospital, Physician's Hospital, opened in the same location, under ownership of a group of physicians; and

WHEREAS, Physicians' Hospital was closed temporarily in 1954 when a group of citizens led by local businessman and civic leader Tom Frost, raised $112,000, in part through bake sales, musical programs and picnics, from 1,090 donors to purchase Physicians' Hospital; and

WHEREAS, it soon became apparent that the Waterloo Street location could not serve the growing healthcare needs of Fauquier County, hospital and community came together to plan and construct a new facility on what would become known as "Hospital Hill," which opened in 1958, and

Whereas, the hospital's staff, including physicians, nurses, administrators, and support personnel, have exemplified professionalism, commitment, and care, often going above and beyond to serve the community; and

WHEREAS, Fauquier Hospital has continuously provided high-quality, compassionate care to generations of residents, meeting the diverse healthcare needs of the community; and

WHEREAS, Fauquier Health proudly cares for the community and is nationally recognized as a Top General Hospital for quality and patient safety by the Leapfrog Group, is a Certified Primary Stroke Center, a Center of Excellence for Joint Replacement, and an accredited Chest Pain Center, and

WHEREAS, as Fauquier Hospital celebrates 100 years of service, it continues to embody its mission of enhancing the health and well-being of the region, while looking ahead to a future of innovation and excellence in healthcare; and

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton do hereby recognize Fauquier Health as an essential and valued member of our community, honoring a legacy of service and commitment through its 100th Anniversary; and

BE IT FURTHER PROCLAIMED, that the Twenty-Sixth Day of February, Two Thousand and Twenty-Five shall be celebrated as Fauquier Health Day in the Town of Warrenton, Virginia, celebrating outstanding health care and community dedication

TOWN OF WARRENTON VIRGINIA

H. E. Carter Nevill
Mayor Town of Warrenton

Draft

TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, January 14, 2025 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON JANUARY 14th, 2025, AT 9:00 AM

Work Session

PRESENT — Mr. Carter Nevill, Mayor; Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Paul Mooney; Mr. Eric Gagnon; Mr. David McGuire; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney; Mr. Chap Petersen Town Attorney.

ABSENT

Regular Meeting

PRESENT — Mr. Carter Nevill, Mayor; Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Paul Mooney; Mr. Eric Gagnon; Mr. David McGuire; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Chap Petersen Town Attorney.

ABSENT

I. WORKSESSION - 9:00 AM

Mayor Carter Nevill called the meeting to order at 9:00 a.m. All members were present, a quorum was established, and business could be conducted.

Councilman Semple moved to reorder the business of the work session, making the first motion to enter into closed session the second order of business, after the organizational portion. He also moved to add four resolutions to the agenda for discussion and to allow a presentation by Mr. Roy Barnett of Van Meter Companies regarding the Arrington voluntary settlement agreement.

Councilman Gagnon seconded the motion. The Mayor stated that the second item requested would be added after the Fauquier High School vulture dispersal request.

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:
Abstention:
Absent:

The motion passed unanimously; the agenda was amended.

1. **Organizational Meeting**

Election of the Vice Mayor

The Mayor sought nominations for Vice Mayor. Councilwoman O'Halloran nominated Councilman William Semple. Councilman McGuire nominated Paul Mooney. No other nominations were heard.

A roll call vote was conducted.

- Councilman McGuire voted for Mr. Paul Mooney
- Councilman Gagnon voted for Mr. William Sample.
- Councilwoman O'Halloran voted for Mr. William Sample.
- Councilman Kovalik voted for Mr. Wiliam Semple.
- Councilman Semple voted for Mr. William Semple.
- Councilman Francis voted for Paul Mooney.
- Councilman Mooney voted for Mr. Paul Mooney.

By a vote of four to three, Mr. Semple was nominated Vice Mayor.

Setting of Town Council Meeting Dates

Mayor Nevill inquired about interest in moving work sessions to Thursday evenings.

Councilwoman O'Halloran spoke in objection to the proposal to work sessions to Thursday evenings due to the cost of employees working another night.

Councilmen Kovalik requested more details on the time and required staff for the Council meetings and work session.

The Mayor explained that on-the-clock staff would be required for evening meetings, which often run long. He continued stating that Staff would still have their normal, daily responsibilities and the additional responsibilities of another night meeting. He cautioned that the additional hours outside of the normal forty-hour work week could impact services and staff availability.

Mr. Frank Cassidy, Town Manager, noted that historical data on cost impact could be sought, and the proposed dates could be adopted now with the decision on the work session being moved postponed to a later date to allow for additional discussions.

Mr. Cassidy requested that if the date for the work session meetings were to change, that the effective date for two-night meetings be set to begin in July, coinciding with a new budget. He stated that the budget was already set for the year and that changes like this will have an impact.

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Councilman McGuire and Councilwoman O'Halloran agreed to look at the budget and plan for effectiveness.

Mr. Semple asked about how non-exempt employees would be compensated for their time in the budget. Mr. Cassidy affirmed they would address employee compensation.

Councilwoman O'Halloran moved to adopt the organizational schedule as discussed and accepted. Councilman McGuire seconded the motion.

Councilman Semple suggested a resolution to table for further discussion until the next meeting. The Mayor clarified that the dates could be adopted now and the work session move separated from this motion.

Motion put forth by Councilwoman O'Halloran was to adopt the organizational meeting schedule as presented.

Seconded by Councilmen McGuire.

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:
Abstention:
Absent:

The motion passed unanimously; the meeting dates were approved as presented.

2. Closed Session #1/3

Closed Session

As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with Mr. Martin Crim, Town Attorney.

And As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to: the pending case of Freeman Vs. Town of Warrenton where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City

Ms. O'Halloran moved to convene a closed session as permitted by Virginia Code § 2.2-3711 (A)(1) & § 2.2-3711 (A)(7).

Councilmember Gagnon Seconded.

Councilman Semple noted that he had requested to make the motion and believed it was customary to allow the requester to do so. The Mayor noted the comment.

The vote was as follows.

Ayes: **Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney.**

Nays: **Mr. David McGuire.**

Abstention:

Absent:

Upon reconvening at from the closed session, Vice Mayor Semple moved to adopt the following Certification of Closed meeting:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Councilmember Gagnon seconded. There was no discussion on the motion.

The vote for the motion was unanimous, as follows:

Ayes: **Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.**

Nays:
Abstention:

Absent:

The motion passed unanimously, and the closed session was certified.

Upon certification and reconvening from closed session, the Council entered into another closed session.

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3. Closed Session #2/3

Draft

Closed Session

As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with the appointment of a new Town Attorney, Mr. Jay Chapman Petersen.

Vice Mayor Semple moved to convene a closed session as permitted by Virginia Code § 2.2-3711 (A)(7).

Councilmember Kovalik Seconded. There was no discussion on the motion.

Ayes: **Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.**
Nays:
Abstention:

Absent:

Upon reconvening at from the closed session, Vice Mayor Semple moved to adopt the following Certification of Closed meeting:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

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NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Councilmember Kovalik seconded. There was no discussion on the motion.

The vote for the motion was unanimous, as follows:

Ayes: **Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.**
Nays:
Abstention:

Absent:

The motion passed unanimously, and the closed session was certified.

Draft

Councilmen Semple requested to make a motion. Vice Mayor Semple moved that the Town of Warrenton terminate the town's client engagement agreement with Sands Anderson, and accordingly, Mr. Crim's appointment as Town Attorney, and enter into an agreement with Mr. Jay Chapman Petersen and the firm of Chap Petersen and Associates to represent the town as Town Attorney, effective immediately.

Councilwoman O'Halloran seconded the motion.

Councilmen McGuire requested a Point of Order. He commended Martin Crim for his professionalism, forthrightness, and availability during his service. He expressed budgetary concern over litigation costs. He requested that the New Town Attorney have the candor and forthrightness with the Council in the Future.

The Mayor stated that Mr. Crim's service was extraordinarily, highly professional and second to none in staff morale and availability, and that parting ways seemed only for a desire to change direction. He expressed concern about the hasty decision, as council members just received the contract, and the lack of public awareness. He urged the Council to move forward with caution and care.

Councilmen Mooney thanked Martin for his help and professionalism.

Councilman Semple seconded Councilman Mooney's comments, stating Mr. Crim was utterly professional throughout his tenure.

The Mayor called the question.

Motion put forth by Councilmen Semple that the Town of Warrenton terminate the town's client engagement agreement with Sands Anderson, and accordingly, Mr. Crim's appointment as Town Attorney, and enter into an agreement with Mr. Jay Chapman Petersen and the firm of Chap Petersen and Associates to represent the town as Town Attorney, effective immediately

Seconded by Councilmen O'Halloran.

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire.

Nays: Mr. Paul Mooney

Abstention:
Absent:

The motion passed 6-1; the agreement and appointment of Mr. Martin Crim as Town Attorney was severed and Mr. Chap Petersen was appointed to represent the Town as the Town Attorney

4. Planning Commission Update

Ms. Harris presented the update. She stated that the Planning Commission did not meet in December, so there was no update to provide. They will hold their organizational meeting next week.

5. Public Works and Utilities Overview-CIP/CARP Projects Update

Mr. Frank Cassidy, Town Manager, presented the overview. He noted that the presentation was delayed on the schedule to allow it to be shown for the new Council and appreciated Council members taking tours of the departments. He explained the two funds: the general fund for public works (streets, sidewalks, mowing, general maintenance, facilities) and the enterprise fund for public utilities (water, wastewater delivery, transmission, processing), which are funded by fees. He explained that operational aspects are relatively flat, with focus on the CIP (Capital Improvement Projects) and CARP (Capital Asset Replacement Program). He stated this would be a tough budget year and aimed for Council engagement on direction.

Mr. Cassidy emphasized the importance of infrastructure maintenance, referencing national and state issues of deferred maintenance. He outlined Public Works CIPs: Broadview Avenue improvement, Main Street repaving/sidewalk/ADA ramp improvements, and the Public Works facility. For the Public Works facility, the scope has changed from a new multi-million dollar facility to upgrading the existing one and managing DEQ requirements for a salt shed, aiming to reduce costs to a couple million dollars. Other CIPs include sidewalk construction, handicap ramps (required for walkability), and guardrail upgrades, which have not been replaced in years and pose liability risks. Facilities repairs, municipal lot repaving, and street asphalt milling/overlays are also included. He noted that Michael Wharton provided Gantt charts for these major projects, which involve many contracts and are affected by weather.

Regarding CARP (equipment replacement program), Mr. Cassidy mentioned that the recent snow event highlighted the importance of equipment. He stated that 16 pieces of equipment were deployed, and the Town received many compliments for handling snow removal, especially from those outside town who visit. He stated the objective is safety for emergency vehicles and residents, and supporting businesses by opening streets quickly. He cited a 1999 dump truck nearing its end of service life. He stressed that the CIP is where budget fluctuations can be made, and that current projects are focused on infrastructure, not "shiny stuff". He invited questions for Himself, Mr. John Ward, Director of Public Works, or Mr. Michael Wharton, Project Coordinator.

Councilman Francis asked about the policy for sidewalk responsibility, noting that he had received many questions with the recent snow events.

Mr. Cassidy explained that it is the adjacent property owner's responsibility to maintain sidewalks. He cited an example on Waterloo and Chestnut where the County cleared sidewalks up to adjacent property lines. He stated the Town lacks resources to clear all sidewalks with roads, and crews focus on pushing snow into gutters for street safety. He acknowledged frustration when plows push snow back into driveways after clearing. He noted that some businesses comply, others do not, and the Town is working with police and community development on an "educational campaign" rather than fining. He attributed lack of compliance

to this being the first big snow in years and the need to re-educate. He mentioned crews had to clear some school sidewalks themselves due to refusals.

Councilman Francis thanked them for their hard work.

Councilman Kovalik commented on the rate of snow and freezing, which made clearing difficult, and appreciated the crews' efforts. He stated he understood the need to move the salt shed and appreciated the negotiations with the County.

Councilman Semple asked about sidewalks on East Lee Street and Walker Drive that are adjacent to vacant lots, and if the property owners are responsible.

Mr. Cassidy confirmed that vacant lot owners are still responsible. He also confirmed liability if homeowners don't clear sidewalks and someone falls but noted that liability depends on weather conditions and personal responsibility. He explained that any claims would forwarded to Versa, the Towns insurance provider. He clarified that the Town maintains sidewalks adjacent to its own parks or bridges.

Councilman Semple then asked about the $35 million in loans needed for CIP projects over the next few years and if project completion times could be matched with funding requirements.

Mr. Cassidy confirmed they would map this out in February, noting that the CIP is a flexible plan adjusted yearly, not approved for all five years at once. He stressed that some roads haven't been touched since 2017 and are at risk of losing VDOT funding.

Councilman Francis asked if new garbage collection trucks could be converted to push snow.

Mr. Ward stated no, due to low entry cabs. He explained that tandem refuse trucks can have plows, but they are primarily used for refuse collection, and sanitation pickup often happens concurrently with snowstorms, with no other trucks available for that purpose. He added that when sanitation pickup is canceled, those drivers operate snow equipment, reaching the limit of CDL drivers available.

Councilman Francis asked if citizens are notified of sidewalk responsibilities, particularly for new sidewalks, and if there's a program to notify violators.

Mr. Cassidy confirmed educational campaigns are used, avoiding immediate fines, and new subdivisions are aware. He stated that while police can write tickets for violations, the preferred approach is education and informal notices, as civil processes are slow.

The Mayor suggested an outreach program specifically for snow emergency routes and adjacent property owners, like Alexandria Pike, Falmouth, and Walker Drive. Mr. Cassidy noted the suggestion.

Mr. Cassidy transitioned to Public Utilities. He stated that the utilities CIP holds the majority of multi-million dollar projects, primarily for the wastewater plant. He highlighted the repair list and overtime spent on fixing breaking equipment, such as 30-40 year denitrification filters that are hard to find parts for, posing a significant risk if they fail. He emphasized that everything in the CIP is a requirement and they are currently working on primary clarifiers. Other needs include

power to the mountain tank, dam infrastructure issues, and new federal requirements for PFAS. He noted that financial health for utilities is improving to fund these projects, despite utility rate hikes, making Warrenton's rates the fifth lowest in the state.

Councilman Mooney asked for an overlay of the Washington Street sidewalk and thanked them for the work on the multi-page report. He also commented on the issue of staff overtime.

Councilman McGuire asked about contingency planning for catastrophic events in the water system.

Mr. Steven Friend responded that the CIP is crucial. He explained that the clear well (100,000 gallons) is too small, and the CIP includes enlarging it for redundancy during storms. He also stressed the importance of power to the mountain tank for water quality, noting that two or three years ago, the town was an hour from having no water when generators were down. He reiterated that all CIP items are "needs," not "wants," designed for redundancy.

Councilman Semple mentioned not wanting to end up like the City of Richmond.

Councilman Gagnon asked Mr. Friend about the town's I&I, Inflow and Infiltration, rate of 49% compared to other communities and the stress on the network of pipes from growth.

Mr. Friend stated the rate is slightly below national average but significant for a small system. He confirmed repairs of breaks are important and that while specific development areas are studied for impact, the overall network will need upgrades due to additional flows. He explained hydraulic lock if gravity lines exceed 60% capacity. He cited a 15-inch clay pipe under Frost Street with no top needing replacement, exploring pipe bursting to increase it to 18 inches.

Mr. Cassidy added that insufficient funding has prevented maintenance, forcing them to divert funds for emergencies.

Councilman Gagnon asked if it was wise to take on 30-40% growth without addressing these problems.

Mr. Cassidy stated they are focusing on the future but wished it had been approached more aggressively decades ago, as development was anticipated. He explained that current plans account for anticipated development and that the challenge is playing "catch up" on neglected infrastructure while planning for the future.

Mr. Friend stated the maximum capacity of the wastewater treatment plant is 2.5 million gallons per day (MGD), but the DEQ permit restricts it to 90% (2.3 MGD). He stated that they are currently at 1.7-1.8 MGD. He explained that the plant is being updated to increase capacity beyond 2.5 MGD to account for future development and permitting requirements, as building to only 2.5 MGD now would force another costly upgrade later when projects are complete.

The Mayor stressed the need for a new playbook for public utilities due to climate change, disruptive weather events, and increased I&I. He emphasized environmental responsibility, public health, and forward-thinking investment in wastewater and water treatment to avoid future problems.

Councilman Gagnon argued for dealing with current resident demands and growth rates without confusing it with climate change.

Councilman McGuire commended Mr. Friend for contingency planning and preparing for the unknown.

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6. **Fauquier High School Vulture Dispersal Request - Dr. David Ferguson, Principal of Fauquier High School, is requesting that the Town Council approve the School's use of hanging vulture carcasses in effigy so as to disperse vultures that perch on and around agricultural structures and harass farm animals that are housed at the School. The site is located at 705 Waterloo Road, Ward 4, and is Zoned to the Public-Semi-Public Institutional (PSP) District.**

Ms. Heather Jenkins, Zoning Official, introduced the topic. She stated that Fauquier High School has an issue with vultures roosting around their agricultural education area, harassing farm animals. Fauquier Highschool consulted a USDA biologist and chose hanging vultures in effigy as the most effective dispersal method. A staff report and form resolution of approval were prepared for consideration of the council. Ms. Jenkins said that Dr. Susan Hillary of Fauquier High School was available online for questions.

Councilman Semple asked about alternative dispersal methods. Ms. Jenkins listed noise, pyrotechnics, and lights to disturb roosting habits. She confirmed that artificial effigies can be used, and that while effigies are reported to be effective at roost sites, they have mixed success at daytime loafing sites and are not reliable for multi-story buildings or small animal parks/zoos. She deferred to Ms. Hillary for further details.

Councilman Mooney asked if anything was attracting the vultures and if terrain could be eliminated to prevent nesting.

Ms. Jenkins stated that vultures roost on school buildings and athletic areas. She confirmed that roosting areas can be made less attractive by adding noise or lights which could be seen as their own nuisance. She stated that she understood the school's desire was to hang effigies only for the agricultural area.

Councilman Mooney asked about risks to people or livestock from hanging carcasses.

Ms. Jenkins deferred to Ms. Hillary. She noted that USDA guidelines state effigies have been effective for property damage, communication towers, crops, and livestock protection. She also noted that vultures generally vacate roosts within five days of encountering an effigy.

Councilman Mooney suggested a trial period or time frame for hanging. Ms. Jenkins stated any conditions from Council could be included in the resolution.

Councilman Francis confirmed there was no cost to the town for the program, as the school would coordinate directly with USDA. He stated that black vultures will go after newborn calves and that it's important to help.

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Councilman Semple asked if it would be a consent agenda item, and Ms. Jenkins confirmed it was included in the consent agenda but could be pulled at the direction of the will of Council. She added that no comments had been received from surrounding neighborhoods. She explained that the matter was not a public hearing and not further advertised.

Councilman Kovalik asked about the impact on flies, given analogies to horse show grounds.

Ms. Jenkins stated per the request the school was looking at bringing in two effigies.

Councilman Mooney asked about the timeline.

Ms. Jenkins stated that the schools didn't know the exact timeline but staff would report back if complaints arise.

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7. Discussion with Mr. Barnett regarding the Arrington Development.

Mr. Roy Barnett presented an overview of the Arrington community plan. He stated that the Arrington property, part of the original Eaton Forest Plantation, is 234 acres. The voluntary settlement agreement (VSA) with the boundary line adjustment would be just under 250 acres, including other parcels. He showed a map with the current town boundary and the proposed VSA boundary. He stated that as of January 3rd, the Supreme Court of Virginia appointed the three-judge panel to review the VSA and boundary line agreement between the Town and County.

Mr. Barnett discussed community planning principles, including respecting prior approvals (e.g., 2015 rezoning for 217 units under PRD, which included a tri-party water agreement for water services). They aimed to meet objectives of updated county and town comprehensive plans (2020-2021), look at housing typologies, address regulatory changes, and provide a sustainable, age-friendly community plan. He stated they would maintain open space elements at entry points to the county and town. He explained that a permanent conservation easement would be placed on the hillside to protect view sheds from the south entrance to Warrenton.

He Continued explaining that residential uses would be clustered and set back from Shirley Avenue, largely behind the crest of a hill. An integrated bicycle and pedestrian network would provide linkages within the community and to the surrounding neighborhood. He noted that primary trails would be maintained by the Homeowners Association (HOA), including snow removal, citing his experience in other communities.

Mr. Barnett stated a key principle was defining the urban county boundary, protected by 200 acres agriculturally zoned to the south with a maximum of ten lots. Buffering is proposed near Leeton Court and around Land Bay W (25 acres of commercial land). Parks and community gathering spaces would also be HOA-maintained.

He discussed commercial aspects: 25 acres of commercial capability (Land Bay W) to be administered through Town zoning (C regulations), and a small inn/restaurant (agro-business) on the agricultural portion remaining in the county. Most uses in the C zoning district require special use permits, meaning approvals by the Town.

Regarding infrastructure, he highlighted the need for water system redundancy. A new water line from Windsor road to Brumfield would provide redundancy and allow multiple directions of water flow. Another new line would extend south to James Madison Highway near the community college, creating a future water line loop. These would be new water lines with long life expectancies. For sewer, he discussed the Taylor pump station behind Brumfield Elementary/Middle School, stating it's not just a replacement but also a review and replacement of a portion of the existing force main along Shirley Avenue to prevent backflow.

Mr. Barnett outlined the mix of unit types: 254 market rate units (161 single family detached, 93 townhomes) plus 16 affordable units. He stated affordable units would serve incomes up to 80% AMI, with at least four units serving incomes up to 40% AMI. Of the market rate units, 25% would have a first-floor bedroom and bath to allow for aging in place. He also mentioned universal design for adaptability and accessibility. A clubhouse and pool for residents, multipurpose courts, and trails would be HOA-maintained. Design would be Piedmont vernacular with neo-traditional and varied architectural styles.

Mr. Barnett explained that for annexation commitments, residential zoning would be administered under the county's PRD district. Commercial would fall under town zoning regulations. The pump station's preliminary engineering report is final, ready for construction documents. Alwington Boulevard would be extended to four lanes in Phase 1, despite original zoning requiring only two, to accommodate the commercial component and traffic from Taylor Middle School's new drop-off areas.

Benefits of annexation that Mr. Barenett stated include:

- Sanitary Sewer System: New pump station and force main improvements ($5.4 million) would be built, replacing existing components, providing an environmentally better solution than a standalone private system.
- Tap and Connection Fees: The town would gain $2.9 million in residential tap/connection fees and $300,000-$500,000 in commercial connection fees, totaling $3.4 million, plus over $1 million in water connection fees.
- Alwington Boulevard: Widening from two to four lanes is a $2 million betterment (his estimate is higher).
- Proffers: Capital contributions, including parks and recreation fees ($200,000 to the town), fire/rescue, public safety, and schools ($2.1 million to the county) amount to $2.3 million, almost double the county's model.
- Residential Units: Adds 37 market rate units (254 total vs. 217 by right) in exchange for diversity of units, 16 affordable units, and a commercial component.
- Adjacent Parcel: An adjacent 54-acre parcel to the north, allowing 51 by-right dwelling units (R-1 zoned), has agreed to cap development at 21 units if they get 16 water taps from the town, reducing 30 units of density. This results in a net difference of only 7 additional units when factoring both developments.

Mr. Barnett clarified that Alternative A (217 units) was only an option if off-site right-of-way for Alwington Boulevard could not be secured.

Regarding commercial benefits, Mr. Barnett cited a 2023/2022 report, stating that 25 acres of commercial space would create 350-500 direct jobs, making it the fourth largest employer in town (above Walmart). Real estate tax benefit to the town would be $15,000 and the county almost $355,000. Personal property tax would be another $13,000 for the town. Other local taxes (mills, business license, lodging, sales and use) from commercial enterprises generate about $9.5 million of the town's $22 million budget (50% of budget from local taxes). Arrington's commercial component could provide about $500,000 in additional local tax revenue. Councilman Mooney asked about the quality of retail and Mr. Maybach's input. Mr. Barnett stated the numbers speak for themselves and high-quality development attracts revenue. He noted a high-volume user looking near town but outside the boundary, meaning the town wouldn't get revenue.

He then discussed balanced residential and economic growth, citing a 2018/2020 report. Economic development requires residential growth to provide consumers and workforce. Census Bureau data shows Fauquier County and Warrenton are losing the higher middle-income bracket (45-54 year olds), indicating a need for housing that provides higher tax revenue and less school service needs. Population growth (7500 residents in 10 years) has outpaced new home production (1200 homes), a 7:1 ratio compared to a desired 2.5:1.

Regarding the Traffic Impact Analysis (TIA), Mr. Barnett stated the original TIA reflected 377 units, which was reduced to 270 units (including 16 affordables), resulting in a 30% reduction in residential Average Daily Trips (ADT) from 4,325 to 3,200. The addition of a commercial site required widening Alwington Boulevard to four lanes, adding 18,000 vehicles per day capacity, far exceeding the projected 5,000-8,000 trips from commercial use. He stated traffic studies would be updated with each use permit.

Mr. Barnett compared the stated benefits to the Town’s Excellence in Action! Philosophy siting the E's of Excellence:

- Aesthetics: Protecting the Southern gateway.
- Environmental: Protecting the Occoquan watershed and creating 52% open space.
- Economics: Commercial and tax base for the town, creating new revenue.
- Employment: Creating 350-500 direct jobs, and another 350-500 indirect jobs.
- Education: Supporting the high school.
- Equity: Diversity of housing types, not just single-family million-dollar homes.

Councilman Semple asked if Van Meter ever planned to develop the property in the county.

Mr. Barnett stated he doesn't spend three years for nothing, they had options in their contract to develop in the county (217 units) or be annexed. He affirmed their intent to develop as part of

the town. He clarified that if the county had not voted for the VSA, he did not have approval to close on the property.

Councilman Semple expressed concern about the traffic study's commercial impact, particularly downstream on Alwington Boulevard, Shirley, and Falmouth, as 6,000-8,000 trips seems underestimated and depends on the specific commercial user.

Mr. Barnett clarified that his estimates are from highway capacity manuals and that Walker Drive, with its single access point, is not comparable, as Arrington has a second access from James Madison Highway, which will draw traffic away, and turn lanes have been extended.

Councilman Semple questioned if Mr. Barnett was familiar with the "Strong Towns" model regarding edge developments eventually costing more in town maintenance than tax recovery.

Mr. Barnett stated Councilman Semple misquoted it, and that Arrington is not an "edge development" under that definition, as it is already part of the town fabric and street network, and connects to existing town infrastructure.

Councilman Kovalik asked about the community pool, noting the WARF needs clients. He also questioned the TIA's scope, noting it didn't include studies at Falmouth and Lee or Culpeper and Shirley, where a significant portion of traffic would come from. He stated the county staff report on Colonial Crossing generated 12,000 vehicle trips from its commercial component, suggesting a similar impact for Arrington. He also questioned why the TIA assumptions were based on the county and why the town wasn't brought into the conversation earlier, and why the Planning Commission's negative recommendation wasn't in the Board of Supervisors' resolution. He noted concerns about roads that "just stop" in the northern parcel.

Mr. Barnett clarified that the TIA scoping is decided by VDOT in a scoping meeting, identifying the intersections to be studied, and is reviewed by VDOT, the County, and the Town. He stated there is plenty of record of meetings and plan revisions. He explained that annexation approval doesn't give carte blanche for commercial development; use permits require mitigating impacts, which will be addressed at that stage.

Councilman Kovalik stated the signed scoping document was not included in the information.

Mr. Stephen Clough, Town Clerk, noted he received the document late and would forward it to the Council.

Mr. Barnett added that traffic numbers and splits change based on the specific commercial use. He clarified that no users are currently designated for the commercial space.

Councilman Semple asked if the project had gone before the town's Planning Commission.

Mr. Barnett stated no, because it was a county action that came directly to the Town Council.

Councilman Semple asked if the Town could have insisted on Planning Commission review. Mr. Barnett affirmed the Town's authority to choose.

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Councilman Kovalik asked if affordable housing units would be part of the main HOA or a separate one, concerned about high HOA fees for affordable homes.

Mr. Barnett stated they are included in the main HOA, and fees are paid by the property owner, not the tenant, as rents are capped by HUD/Virginia Housing. He confirmed trails are fixed assets with reserve fund requirements. He also confirmed alleyways for parking would be private and HOA-maintained, not plowed by the town.

The Mayor noted that Van Meter's recent project in Marshall, with its affordable housing, had a positive impact.

Councilman Kovalik asked if affordable units were the largest square footage units.

Mr. Barnett stated they are typically two or three bedrooms, comparable to market rate units except possibly for garages, and are integrated into the community. He explained that affordability pricing is based on Area Median Income (AMI), with some units for 40% AMI households, and rents capped by Virginia Housing and HUD.

Councilman Kovalik aimed to match community needs with the offerings, as he stated a 3-bedroom unit might not be affordable or suitable for single individuals.

Mr. Barnett stated that market studies ensure unit types match community needs, and that HOA fees are included in the capped rent. He confirmed affordable housing for this project would primarily consist of two or three-bedroom units. Mr. Barnett offered to discuss affordable housing separately due to his passion for it.

Councilman Francis expressed concern about the impact of development on schools, based on the experience of Loudoun County in dealing with this issue. He stated that schools plan based on physical occupancy and that this development had no impact on school pushback. He noted that Arrington's residential build-out would be 7-8 years, not overnight.

Councilman Francis also raised concerns about the strain on the police department from new development and a commercial area, requiring additional officers, vehicles, and facilities.

Mr. Barnett pointed to the revenue stream from the commercial element of the property which he stated would offset costs. He argued commercial development is revenue positive and offsets residential growth, which is often revenue negative. He added that sales tax benefits largely drive public school systems.

Councilman Semple asked if a new commercial district would siphon business from Main Street vendors.

The Mayor stated that historically, new businesses like Walmart did not harm Main Street, and that new anchor stores in Warrenton could draw revenue from the rest of the county and beyond, preventing it from going to other areas like Prince William County.

Councilman McGuire supported a police and fire committee to examine the facts of growth impacts. He also suggested establishing more committees for citizen input, especially for work

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sessions, to vet projects before they come to council. He questioned if Warrenton should bear the entire cost of development or if other service districts should be explored.

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8. Councilmen Semple's Proposed Resolutions

Resolution to re-evaluate certain defenses in the matter of Charles and Marygay cross, et. al, plaintiffs-petitioners vs. The Town Council of the Town of Warrenton and the Town of Warrenton, defendants.

Resolution to release emails exempted from FOIA request 000177-101422

Resolution to establish Warrenton Commission on Open and Transparent Government

Resolution to withdraw petition for appeal

Councilmen Semple had introduced four resolutions and wished to enter into closed session to discuss them with the newly appointed Town Attorney.

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9. Closed Session #3/3

Closed Session

As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to Draft Resolutions Proposed on 02/13/25.

Vice Mayor Semple moved to convene a closed session as permitted by Virginia Code § 2.2-3711 (A)(7).

Councilmember Kovalik Seconded. There was no discussion on the motion.

Ayes: **Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.**
Nays:
Abstention:

Absent:

Upon reconvening at from the closed session, Councilmen Kovalik moved to adopt the following Certification of Closed meeting:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Councilmember Mooney seconded. There was no discussion on the motion.

The vote for the motion was unanimous, as follows:

Ayes: **Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney.**

Nays: **Mr. David McGuire.**

Abstention:

Absent:

Mayor Nevill and Mr. David McGuire had left the meeting before the end of the closed session due to the length of the meeting.

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10. Agenda Review

Vice Mayor Semple continued the meeting and asked Mr. Cassidy to review the night's agenda.

Mr. Cassidy reviewed the agenda for the evening. Items reviewed included

- Consent Agenda: Bond release from Fauquier Medical Office, confirmation of the emergency declaration for Winter Storm Blair, and the Fauquier High School Vulture dispersal request.
- The addition of the four proposed resolutions from Mr. Semple.

With no further business, this meeting was adjourned at 2:20PM on Tuesday, January 14th, 2025.

II. REGULAR MEETING - 6:30 PM

The meeting was called to order at 6:30 p.m. All members were present, and business could be conducted.

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INVOCATION.

Pastor Bob Kolodner from the Warrenton Church of Christ led the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Carter Nevill Led the pledge of allegiance.

PROCLAMATIONS AND RECOGNITIONS.

Mr. Frank Cassidy, Town Manager, presented the proclamations and recognitions, noting a busy end of the year.

- **New Hire:** JC Carey, Lifeguard at the Wharf.
- **Promotion:** Wayne Toomey, Superintendent of Public Works.
- **Internal Promotions and Transfers (Police Department):**
    - Ashley Nikki Bowman promoted to Sergeant.
    - Matthew Eggers promoted to Sergeant in patrol.
    - Marybeth Houser assigned to Criminal Investigations, Detective Bureau.
    - Jay Perez promoted to Corporal.
    - Rachel Schockey promoted to Corporal.
- **Risk Management Training and Certifications:** Karen Henderson, Richard Benavides, Bruce Sanford, Adam Mullins, Wayne Toomey, Andrew Alexander, Warren Stringfellow, and Donna Pullen from Public Works received certifications in adult / pediatric first aid, CPR, AED, and emergency oxygen administration.
- **Officer of the Year:** Corporal Jason Asplen was recognized as the Warrenton Police Department Officer of the Year and the Warrenton Urethane Club as the Officer of the Year.
- **Leadership Fauquier Cohort:** Kevin Turner and Stephen Clough were accepted into the cohort.
- **New/Returning Council Members:**
    - Roy Francis, Ward One Council Member, joined the Excellence in Action team.

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- Mr. Semple, Ward Two Council Member and newly elected Vice Mayor, was welcomed back.
- Larry Kovalik, Ward Three Council Member, was welcomed to the team.
- Michelle O'Halloran, Ward Four Council Member, was welcomed to the Excellence in Action team.
- Eric Gagnon was welcomed back to the Excellence in Action team.

- **Five Years of Service:** Jason Asplund, Carol Carter, Eric Davidson, Michael Gebel, Keith Jenkins, Jacob Olinger, Duane Rhodes, Jonathan Stewart, Warren Stringfellow, Robert Walton.
- **Ten Years of Service:** Darren Kidd and Kevin Turner.
- **Employee of the Year:**
  - Adam Mullins, Public Works Employee of the Year.
  - Michael Wharton, Project Coordinator under the Town Manager's Office, Employee of the Year.
  - Jennifer Bush, Senior Administrative Assistant in the Police Department, Employee of the Year.
- **Team of the Year:** The Wastewater Treatment Plant team: Russell Smith, Dwight Beam, Robert Grant, Donald Peel, Andrew Chesney, Brian Jenkins, Daniel Oscar, William Stoddard, Joseph Tanner, Benjamin Villalobos, Daniel Vuksanic, and Nathan West; were recognized for their hours and efforts in keeping the plant running.

The Mayor Congratulated all for their Excellence in Action!

CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: January 14th, 2025		
Name	**Address**	**Topic**
Ali Zarabi	344 Richards Dr.	Congratulations
Scott Christian		

Ali Zarrabi, 344 Richards Drive, Ward One (Center District for Fauquier County), former Warrenton Planning Commission member and current Board member of Citizens for Fauquier County (CFFC), spoke on behalf of Kevin Ramunda, President of CFFC. He stated that CFFC is Fauquier County's oldest conservation organization, representing nearly two thousand members and focusing on protecting natural and historic assets. He offered congratulations to new and

returning council members and expressed CFFC's readiness to assist with complex challenges, citing past work with the county on issues like ag tourism, solar fields, and data center proliferation.

Scott Christian, Marshall Magisterial District, announced that the Black Lives Matter Vigil for Action raised $2,359 for Special Olympics Virginia in honor of Chief Carter and his staff, bringing their four-year total to $8,000 for local law enforcement. He stated their mission is to bear public witness to the need for racial truth, justice, and reconciliation. He suggested collaborating with the Board of Supervisors to create a commission to research and tell the full story of Fauquier County's journey and determination to overcome oppression and create vibrant communities.

APPROVAL OF THE AGENDA.

Motion put forth by Councilmen Francis was to approve the Agenda as presented.

Seconded by Councilwoman O'Halloran

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:
Abstention:
Absent:

The motion passed unanimously; the Agenda was approved.

PUBLIC HEARINGS.

No Public Hearings we're held this evening.

CONSENT AGENDA.

BOND-24-4- Bond Release Request for Fauquier Medical Office Building

Confirmation of Emergency Declaration

Fauquier High School Vulture Dispersal Request - Dr. David Ferguson, Principal of Fauquier High School, is requesting that the Town Council approve the School's use of hanging vulture carcasses in effigy so as to disperse vultures that perch on and around agricultural structures and harass farm animals that are housed at the School. The site is located at 705 Waterloo Road, Ward 4, and is Zoned to the Public-Semi-Public Institutional (PSP) District.

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The Mayor noted that all items on the consent agenda were discussed this morning, including the Fauquier High School vulture dispersal request, and information was available on public record.

Motion put forth by Councilmen Kovalik was to approve the Consent Agenda as presented.

Seconded by Councilmen Mooney

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:
Abstention:
Absent:

The motion passed unanimously; the Consent Agenda was approved.

NEW BUSINESS.

Councilmen Semple's Proposed Resolutions

1) **Resolution to re-evaluate certain defenses in the matter of Charles and Marygay cross, et. al, plaintiffs-petitioners vs. The Town Council of the Town of Warrenton and the Town of Warrenton, defendants.**

Vice Mayor Semple moved to approve a resolution to reevaluate certain defenses in the matter of Charles and Mary Gay Cross at Al, plaintiffs/petitioners versus the town counsel of the town of Warrenton and the town of Warrenton defendants.

Councilman Gagnon seconded the motion.

Councilman Mooney suggested waiting until the February meeting for prudence and due diligence.

Councilman McGuire agreed with Councilman Mooney.

Councilman Gagnon stated the resolutions were simple and straightforward, particularly the one for the Amazon case, and that a 30-day delay would not add value. He stated a major public policy reason for immediate approval was to reflect widespread citizen opposition to the data center project.

Vice Mayor Semple clarified that the resolution directs the town attorney to determine the appropriateness of the town's defenses and seek the potential amendment of its answers so as to withdraw certain defenses, which would not change in 30 days.

Councilman Mooney stated he agreed with the direction but needed more time to work with the new Town Attorney.

The Mayor clarified that the trial had been postponed to 2026 and there was no emergency. He stated he had instructed Mr. McGavin that they might want to amend their answer and that the resolution was not binding but indicated a new direction. Councilman [speaker] desired more time for information on "second and third order consequences".

Motion put forth by Vice Mayor Semple was to approve a resolution to reevaluate certain defenses in the matter of Charles and Mary Gay Cross at Al, plaintiffs/petitioners versus the town counsel of the town of Warrenton and the town of Warrenton defendants.

Seconded by Council men Gagnon.

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon.

Nays: Mr. Paul Mooney; Mr. David McGuire.

Abstention:
Absent:

The motion passed 5-2 ; the resolution to re-evaluate certain defenses in the matter of Charles and Marygay cross, et. al, plaintiffs-petitioners vs. The Town Council of the Town of Warrenton and the Town of Warrenton, defendants was approved.

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2) Resolution to release emails exempted from FOIA request 000177-101422

Vice Mayor Semple moved that the council adopt the resolution to release emails exempted from FOIA request T000177-101422. Councilman Gagnon seconded the motion.

Councilman McGuire asked the new Town Attorney why the emails were not released previously and for clarification on the FOIA parameters.

Mr. Petersen explained that the town had chosen not to disclose them, leading to litigation where the trial court favored the town, but the court of appeals reversed. The town then appealed to the Supreme Court. He stated that this resolution, coupled with another resolution to discontinue the petition, would make the 3100 emails (2600 withheld under "chief executive function") available, with exceptions for attorney-client privilege and confidential personnel matters. He stated he would double-check the segregation. He stated that releasing them would not change liability and would effectively tell the Supreme Court their petition is no longer needed. He noted that the question of legal fees still remains.

Councilman Kovalik asked for clarification on whether this resolution coupled with the withdrawal from appeal would incur liability.

Mr. Peterson stated they are coupled, and withdrawing the petition and releasing emails would effectively end the litigation. He confirmed there is no new act that would expose liability, as past liabilities (e.g., legal fees) are already in question.

Councilman Francis stated he saw no reason to hide something if nothing is there.

Mr. Peterson clarified that the decision to withhold was based on interpretation of state code exemptions, not content, to avoid arbitrary decisions and potential lawsuits. He advised consistently applying the code as interpreted.

Vice Mayor Semple noted that the Court of Appeals reversed the Town's position, and a future discussion might be about privilege for the Mayor or Town Manager.

Councilman Kovalik stated he viewed it as restoring public trust and re-establishing a trusting relationship with citizens.

Councilman Gagnon noted the inextricable link between the Amazon data center and email withholding, which created mistrust. He urged releasing emails as a big step toward transparency and minimizing potential financial exposure.

Mayor Nevill noted the resolution refers to the appellate court decision, which merely sent the case back to the lower court, not a full reversal. He questioned if reversing their appeal now would render it moot if emails are released.

Mr. Peterson agreed that once the appeal is withdrawn and emails released, there would be nothing at contest.

Councilman Mooney, stated he wanted to ensure no further legal issues for citizens and needed more time to discuss with the attorney.

Councilman McGuire asked if releasing the emails would violate FOIA or if their certification could be taken away.

Mr. Peterson confirmed they would not be violating any court order or FOIA by choosing to release them.

The motion passed by a vote of six to one.

Motion put forth by Vice Mayor Semple to adopt the resolution to release emails exempted from FOIA request T000177-101422. Councilman Gagnon seconded the motion

Seconded by Councilmen Gagnon

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire.

Draft

Nays: Mr. Paul Mooney.
Abstention:
Absent:

The motion passed 6-1; the resolution to release emails exempted from FOIA request 000177-101422 was approved.

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3) Resolution to establish Warrenton Commission on Open and Transparent Government

Vice Mayor Semple moved to adopt the resolution to establish the Warrenton Commission on Open and Transparent Government. Councilman Kovalik seconded the motion.

Motion put forth by Vice Mayor Semple was to Establish the Warrenton Commission on Open and Transparent Government.

Seconded by Councilmen Kovalik

Mayor Nevill asked if a cost analysis and staff assessment had been done.

Mr. Peterson replied no.

Councilman Mooney argued that funds could be found given the importance of the Commission.

Mayor Nevill asked if the commission would review every land use application, or be selective, and if selectivity would meet an arbitrary and capricious standard.

Mr. Peterson stated it would be at the commission's discretion, with criteria to promote transparency or identify improper practices, similar to a civilian police review board. He clarified it is an investigatory tool with no binding or regulatory authority, only making suggestions to council.

Councilman Kovalik supported it as a way to create more citizen involvement, similar to past transportation committees.

Councilman McGuire asked if nominations for the three public members of the committee would be open to the community.

The Vice Mayor stated council would accept and select nominations from the Council of town residents only.

Mr. Clough confirmed it would still require minutes and advertising as a commission.

Councilman Mooney stated he agreed with the resolution but would vote yes if given 30 more days to review changes and ensure no missing information.

Councilman Gagnon echoed calls for transparency in zoning and development processes and citizen involvement.

Draft

The Mayor expressed hope it would not increase regulatory authority or veto points, hindering affordable housing development.

Councilmen Kovalik suggested this commission could help address the lack of affordable housing despite decades of growth.

Vice Mayor Semple clarified the commission would prepare a report to council within 12 months, focusing on improving procedures, processes, and the town's code of ethics for timely, open, and transparent communications.

Councilman Francis stated he saw it as a protection for the town and a way to build trust.

Councilman Mooney stated it was a great idea but thought that the idea needed more refining.

Councilman McGuire agreed it needed more refining.

Councilmembers expressed concern about unintended consequences of expanding government power.

Councilman Mooney moved to table the item for consideration until the next Town Council meeting. Councilman McGuire seconded the motion.

Councilman Kovalik argued that establishing the commission now provides a framework to start defining goals, rather than waiting.

Councilman McGuire desired more clear "left and right limits" for the problem definition.

Councilmen Mooney clarified that he has been operating consistently asking for additional time on most votes.

Councilwoman O'Halloran stated her principles of clarity and consistency required more time to ensure all details were finalized

The vote was as follows.

Ayes: Mr. Paul Mooney; Mr. David McGuire; Ms. Michele O'Halloran.

Nays: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Mr. Eric Gagnon.

Abstention:
Absent:

The motion failed 4-3; the motion to table failed.

There was no additional discussion on the main motion and a vote was called.

Vice Mayor Semple moved to adopt the resolution to establish the Warrenton Commission on Open and Transparent Government. Councilman Kovalik seconded the motion.

Draft

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon.

Nays: Mr. Paul Mooney; Mr. David McGuire
Abstention:
Absent:

The motion passed 5-2 the resolution to establish Warrenton Commission on Open and Transparent Government was adopted.

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4) Resolution to withdraw petition for appeal

Vice Mayor Semple moved that the town council adopt the resolution to withdraw a petition for appeal. Councilman Gagnon seconded the motion.

Councilman Mooney reiterated his previous discussion with respect to requesting additional time.

Mayor Nevill explained the resolution would direct the Town Attorney to withdraw the Appeal to the Virginia Supreme Court in the CFFC FOIA Case.

Mr. Peterson clarified that this motion directs the town attorney to seek the withdrawal, not immediately withdraw.

Councilman Gagnon stated the he believed the appeals court ruling was the handwriting on the wall, and there was no sense in continuing, especially since releasing emails would make the case moot.

Councilman Mooney stated that he agreed with Councilman Gagnon.

Mayor Nevill stated that the first actions of the new council were to undo the town's defense in cases where CFFC was a material plaintiff, linking it to election consequences and conflict of interest.

Councilman Gagnon countered that widespread dissatisfaction and distrust in local government, not special interests, drove the desire for these resolutions. He stated CFFC is a public interest organization of regular citizens.

Councilman Kovalik stated he felt personally insulted by the Mayor's suggestion of special interest influence.

Councilman Semple stated CFFC shares his values of preserving Fauquier County's character and denied being a "Trojan horse" for special interests.

Draft

Councilman Francis stated he ran based on neighbors' influence and was also offended by the Mayor's statement.

Mayor Nevill stated for the record that he speaks with many people too and hears different things from what's being said.

Councilwoman O'Halloran stated that when she decided to run, she met with her neighbors and from their influence she decided to run.

Mayor Nevill brought the discussion back to the motion at hand.

Motion put forth by Vice Mayor Semple was to adopt the resolution to withdraw a petition for appeal.

Seconded by Councilmen Gagnon.

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire.

Nays: Mr. Paul Mooney.
Abstention:
Absent:

The motion passedv6-1; the motion to adopt the resolution to withdraw a petition for appeal was adopted.

UNFINISHED BUSINESS.

There was no unfinished business.

TOWN ATTORNEY'S REPORT.

Mr. Peterson stated that the litigation status was largely covered by the discussions this evening. He stated he looked forward to a more comprehensive report next month.

TOWN MANAGER'S REPORT.

Mr. Cassidy welcomed the new town attorney. He announced the winners of the Christmas House Decorating Contest: Fuller's (179 Mosby Circle) for Most Creative, Katy residence (243 Windward Court) for Most Traditional, and Craven family (318 Fox Chase Street) for Most Wow Factor. He announced that the Citizens Academy/Your Town Academy would start tomorrow after a week's delay due to weather, with 29 participants. He also noted potential for more snow this weekend.

Draft

COUNCILMEMBERS TIME.

Councilman McGuire- thanked first responders and emphasized the importance of sound infrastructure, referencing Hurricane Maria in Puerto Rico. He welcomed new council members and stressed that character matters, advising to "do right and right will follow you."

Councilman Gagnon- welcomed new council members and expressed confidence in positive outcomes for the town. He believed residents had great representation with the fellow council members and shared that he thought they could do some very positive things for the Town.

Councilman Kovalik- expressed honor in serving and appreciated everyone coming out. He looked forward to working with the new Town Attorney and thanked Frank and staff for snow removal. He stated that as he worked through orientation and had the opportunity to meet with those behind the scenes that support the community that we are extremely fortunate to have the dedicated staff that we do.

Vice Mayor Semple- expressed pleasure at being reelected for a second term, despite his age. He looked forward to working with new council members on serious issues like the budget, water, sewer, and growth. He stated the town is in "wonderful hands" with diverse and thoughtful opinions. He congratulated Frank and staff for excellent snow response.

Councilmen O'Halloran- stated it was an honor and privilege to serve the citizens of Warrenton and thanked all for coming out this evening. She thanked the staff for the response in snow removal and noted her gratitude for staff's dedication and hard work. She stated she was looking forward to working with the New Town Attorney and Town Council.

Councilman Francis- echoed praises for Frank and his crew for a "super job" on snow removal. He expressed honor in serving Ward One, which has faced significant development with both Amazon and the Warrenton Village Center, and stated he hoped to alleviate the impact. He looked forward to working with the Council.

Councilman Mooney- thanked citizens and congratulated Frank and staff, noting the positive reflection of employee longevity and promotions on leadership. He highlighted the Warrenton Town of Warrenton scholarship fund winner, Dylan Covington. He stated he looked forward to working with the new council, especially Vice Mayor Semple, and emphasized community collaboration for an "amazing place to live".

Mayor Nevill- welcomed the new town attorney and thanked Martin Crim for his "extraordinary" service. He also thanked the staff for their work, particularly on communication, services, and planning, giving "hats off" to John Ward and Johnny Switzer. He reminded everyone of the goal to "keep Fauquier rural" by concentrating growth in the center district, Warrenton, to preserve rural open spaces. He encouraged reading contemporary literature on housing policies and Strong Towns, emphasizing proactive and visionary approaches to maintain a "healthy, community for the generation that will inherit it" he explained that the problems faced by the town weren't unique, but the way they were faced needed to be visionary with forward thinking.

ADJOURNMENT.

With no further business, this meeting was adjourned at 8:07 PM on Tuesday, January 14th, 2025.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on January 14th, 2025.

_____

Stephen M. Clough
Town Recorder

Attachments:

1) Handouts to Council from Citizen's time. January 14th, 2025.
2) Citizen Comment Emails and form submissions.
3) Signed legislation.

Draft

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

January 14th, 2025, Regular Town Council Meeting Minutes

Attachment 1: Handouts to Council from Citizen's time. January 14th, 2025

Draft

John V. Albertella
360 Culpeper Street
Warrenton, Virginia 20186

January 12, 2025

Ms. Michelle O'Halloran
Member of Town Council – Ward 3
21 Main Street – Town Hall
Warrenton, VA 20186

Re: "A Huge Asset to the Town of Warrenton"

Dear Ms. O'Halloran:

On Friday, the ***Fauquier Times*** reported that during this Tuesday's proceedings two members of the Warrenton Town Council are planning to move for a closed-door session to discuss Martin Crim's employment as Town Attorney.

I have several questions.

Where is the background on this stunning move at the very start of the new session? When have we heard from these two individuals or anyone else that Mr. Crim's performance has been subpar? Have you? Have I missed something that Messrs. Semple and Francis and other proponents for more transparency from Town officials have failed to share with the public about Mr. Crim before now?

Where's the beef? Why consider such a move when the report showed no apparent cause? I searched the article for answers, but the ***Times*** only reported that "most council members... did not cite a specific reason for potentially seeking to dismiss Crim." "I think he's a very competent attorney," added Council member Eric Gagnon. Huh?

Let me say that I am more than a curious observer.... at the **Warrenton Preservation Alliance** we have a very high regard for Mr. Crim and his invaluable guidance in recently putting the Town on a complex legal path to restoring degraded historic and architecturally significant properties in the **Historic District**. So, since Friday's report I went on a little listening tour, wondering what Town staff thought of Mr. Crim's value and job performance... you know, the very people who work with him on a frequent basis while helping govern the Town.

So, I put the question on the table to senior members of the Town staff: ***"How does Town staff view Martin Crim's (and his firm Sands Anderson) performance as Town Attorney?*** Here's what I got:

John W. Wiseacre
360 Cedar Lane Circle
Watertown, Virginia 20178

January 12, 2026

Mr. Nicholas O'Sullivan
Member of Town Council – Ward 3
23 Main Street – Town Hall
Watertown, VA 20178

Re: "A Happy Answer to the Town of Watertown"

Dear Mr. O'Sullivan:

On Friday, the Register-Times reported on the meeting this Tuesday's proceedings two members of the Watertown Town Council are planning to move for a closed-door session to discuss Mayor Orrin's employment as Town Attorney.

I have several questions.

What is the background on this looming move as you can offer a new session? What have we learned from these two individuals or anyone else that Mr. Orrin's performance has been subpar? Have you had missed something that Messrs. Temple and Flowers and other proponents for more transparency from Town officials have failed to share with the public about Mr. Orrin before now?

Where's the limit? Why consider such a move when the report showed no apparent issues? I searched the article for answers, but the News only reported that "most council [illegible] did not cite a specific reason for potentially ousting Mr. Orrin." Right?

Let me say that I am more than a bit curious as to the Watertown Preservation... & Heritage we have a very high regard for Mr. Orrin and his breadth and depth in dealing the Town with a host of new legal pull to resolving disputes and prioritizing long-standing matters in the Historic District. So, since Mayor's last went on a ride performance... you know, the very people who work with him on a frequent basis while helping save in the town.

So I put the question on the table to certain members of the Town staff: "How about Mayor Orrin? Have we had [illegible] or misconduct] our interactions as Town

Draft

"... [He] provides invaluable advice on all Freedom of Information Act (FOIA) matters that keeps the Town out of legal difficulties."

"... [He] often advocates for strengthening FOIA in the Virginia professional and legal worlds, including in the VA General Assembly."

"... [He] provides sound guidance and direction in keeping the Town within legal boundaries."

"... [He] consistently gives professional responses and neutral decisions to all Town matters, without bias or political affiliation or point of view."

"... [He] offers high level of professional advice on parliamentary procedure."

"... [He] has updated Town policies and processes with a view toward increasing transparency within the legal standards; and has ensured that Town actions and accountability are in complete legal compliance."

"... [He] always offers clear and relevant legal advice to ensure that decision-makers are well-informed and reduces the risk of [our] incurring legal challenges and helps the Town navigate complex situations with confidence."

"... [He] gives timely responses to legal questions that enable decision-makers to make decisions on critical matters within the necessary legal framework."

"... [He] provides impartial analysis of Town contracts to ensure that all agreements are fair, legally sound and in the best interest of the Town, while protecting the Town from potential risks and ensuring compliance with all applicable laws and regulations."

"... [He] assigned an enforcement specialist attorney from his firm, Sands Anderson, to direct all of the Town's property safety enforcement concerns and during that time has guided the Town in making key text amendment changes; created templates for different types of Notice of Violations (NOVs), courtesy letters and notices of UNSAFE structures; helped bring the Town's LBBCA into compliance with current law; directed and managed all Town court filings; and holds frequent meetings with Town staff to keep them up-to-date on current cases and answers their questions."

"[He]...makes available and gives us access to a depth of legal resources that are invaluable in an increasingly complex legal environment for Towns like ours."

Draft

"...overall, Martin Crim and [his law firm] Sands Anderson are a huge asset to the Town."

Separately, Mayor Nevill had this to say as reported by the ***Fauquier Times***: "He [Mr. Crim] has served this town impeccably, professionally and in a completely neutral manner. The superlatives I can offer him – there's not enough."

Huh? What are the Mayor and all of these highly informed folks on Town staff missing that Messrs. Semple and Francis must know warrants letting go Mr. Crim?

Again, I received no fewer than a dozen reasons why Martin Crim is a huge asset to the Town of Warrenton, and I therefore ask you as my duly elected representative, for any fact-based reasons you may have for wanting to replace him as Town Attorney related to alleged job performance failures... anything that gives you personal concern and that I and other constituents of yours should know about.

Be reminded that if the Council were to fire a perfectly competent and valued legal counsel to help achieve some political policy goal(s) would be nothing if not a blatantly political weaponization of your authority and a terrible disservice to the Town. So please beware of arguments made by others that are little more than over-reaching power grabs that have the potential to cause great havoc in our fair community.

And please add to my homework on researching this matter, avoid the groupthink around you, and thank you in advance for your prompt reply as to the situation and your position on the matter.

Sincerely,

John V. Albertella
for the Warrenton Preservation Alliance

cc: Council Member Roy Francis
Council Member Eric Gagnon
Council Member Larry Kovalik
Council Member David McGuire
Council Member Paul Mooney
Council Member William Semple, Jr.
Mayor Carter Nevill
Town Manager Frank Cassidy
Martin Crim, Esq.

Draft

The Town of Warrenton
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January 14th, 2025, Regular Town Council Meeting Minutes

Attachment 1: Citizen Comment Emails and form submissions.

Draft

From: "Mark Kaufmann" <[redacted]>
Sent: Tue, 10 Dec 2024 06:27:06 -0500
To: """ <citizencomment@warrentonva.gov>
Cc: """ <[redacted]>
Subject: Plan Warrenton 2040 - Hero's Bridge Village

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

Hello,
As a veteran myself, I fully support Hero's Bridge's effort to have a senior assisted living center built for local, aging veterans in desperate need of something like this. Taking care of our veterans who have served this country is one of the most important things we can do as compassionate Americans. Please consider approving this project based on the amount of good it will do. Thank you.

Very respectfully,
Mark Kaufmann
4106 Adrienne Dr
Alexandria, VA 22309
[redacted]

Draft

From: "Anna Rogers" <[redacted]>
Sent: Tue, 10 Dec 2024 09:41:48 -0500
To: """ <citizencomment@warrentonva.gov>
Cc: "Molly Brooks" <[redacted]>; "Ellen Phipps" <[redacted]>; "Caroline Smeltz" <[redacted]>
Subject: Hero's Bridge Village

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

The topic of “the tiny home village” as a solution to our nationwide affordable housing crisis pops up frequently across our country. While it is true that various models of tiny home villages have pros and cons, the evidence speaks for itself in favor of the village model.

Our communities have a responsibility to take steps both large and small to address the affordable housing crisis. Waiting on “perfect” solutions is not an option.

We must rethink our image of homelessness. Rethink the image of those citizens in our communities that find themselves in “an affordable housing dilemma.”

Today, those who find themselves homeless are often *older adults*. Two situations that come to mind include the 85-year-old woman who was sharing a home with her sister, but her sister passed away and she could no longer afford her rent, and the 75-year old living in a small apartment on his $1500 social security check but his landlord just increased his rent to $1250 / month; which is considered a “fair rent” in our region. These are just two stories I have recently heard but if you talk with those serving the older adult community there are hundreds more.

To those who find themselves “hesitant” to have a neighbor defined by a “stigma of homelessness”, I would say that the Hero’s Bridge neighbors could be our mothers, our fathers, or our grandparents and

should be defined by their humanity not by unfounded imagery.

The Hero's Bridge Village model has been thoroughly researched, including the manner in which it will screen residents and provide oversight of the development. It is spearheaded by an established and reputable organization not only providing services to an underserved population but also providing jobs in the community. It is also a finite project, not one set to expand or experience "sprawl."

Our affordable housing crisis is not a crisis going away anytime soon. Specifically, we must continue to address affordable housing for *older adults*. With the number of older adults in Virginia set to reach 25% of the population by 2030, our region will continue to feel this impact.

The Hero's Bridge Village project is a gift to the community, a win-win for both those needing affordable housing and for a community whose responsibility it is to provide affordable housing and economic growth.

Please consider voting in favor of the Hero's Bridge Village project.

Thank you for your consideration.

Anna Rogers
Director of Community Engagement

[redacted] | www.agingtogether.org

[redacted] | PO Box 367 1835 Industry Drive Culpeper, VA 22701

AGING TOGETHER'S ANNUAL APPEAL IS ON NOW! PLEASE HELP WITH YOUR FINANCIAL SUPPORT HERE. WE ARE GRATEFUL!

Draft

December 5 in Culpeper: The Annual Dementia Education Conference for anyone interested in learning more about dementia research and care!
Check info here: https://www.agingtogether.org/annual-dementia-conference.html

Draft

From: "Melissa Hunt" <[redacted]>
Sent: Tue, 10 Dec 2024 11:29:23 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge

You don't often get email from [redacted]. Learn why this is important

Good morning,

As an adjacent property owner to the proposed Hero's Bridge/UMC Rezoning application, I am writing to express my opposition to the applicant's request to rezone the UMC land parcels from R-10 & RO to R-PUD due to several issues with the application. Some of those issues are outlined below:

- The Planning Commission recommends denial of the application.
- 25 acres is the required minimum acreage for R-PUD Zoning. The applicant is requesting to rezone a total of 9.8640 acres of combined land parcels to R-PUD. That is over 15 acres less than is required. A substantial variance. Over 21 acres less than required if factoring in the project portion of only 3.9 acres.
- The applicant is referencing Rowland vs Town of Warrenton to justify using proffers to substantially amend R-PUD zoning.
- The courts ultimately ruled in favor of the Town of Warrenton because the issue was regarding a land use mix variance. **The variance was minimal**, and the subsequent proffers addressed the potential issues of the variance. The parcel exceeded the 25-acre minimum for I-PUD.
- The Hero's Bridge/UMC rezoning application **is not a minimal variance**. It is over 15 acres less than is required for R-PUD zoning along with issues relating to setbacks, buffers, parking, to name a few.
- Is the proffered Restrictive Covenant for veterans legal? Virginia Code does not indicate it is when it relates to military status.

Draft

§ 36-96.6. Certain restrictive covenants void; instruments containing such covenants

A. Any restrictive covenant and any related reversionary interest, purporting to restrict occupancy or ownership of property on the basis of race, color, religion, national origin, sex, elderliness, familial status, sexual orientation, gender identity, military status, or disability, whether heretofore or hereafter included in an instrument affecting the title to real or leasehold property, are declared to be void and contrary to the public policy of the Commonwealth.

- Will limiting each home to one occupant and one parking space violate the tenant's right to accommodations under the Americans with Disabilities Act and Virginia Fair Housing laws? What if they require home health care, companion care or live-in caretaking. Can this restriction be implemented and enforced? If these services are required by the occupants, will they be allowed to age in place or be required to move?

- Why would the Town approve rezoning for development of any affordable housing project if the developers are proposing substandard zoning and substandard accessibility among other issues? Don't the future occupants have rights to be afforded the same standards described in the zoning code and accommodations under Virginia's Fair Housing laws?

- Land use mix: If rezoning to R-PUD is approved, **By right**, commercial buildings can be built in my residential neighborhood (behind my house) under R-PUD zoning. Up to 35% can be used for restaurants, medical buildings, banks, coffee shops, etc. All the proffers in the world can't stop future proffer amendments, especially if developers are involved.

- What happens if Hero's Bridge/UMC cannot financially complete or maintain the project? There is a high probability they would partner with a developer. If the Town approves this rezoning, it's setting a dangerous precedent for neighborhoods throughout the Town. If rezoned, there is no turning back on the likelihood of future development on these parcels.

- The Boys and Girls Club is closing its doors at the end of December. What assurances do we have on the continued funding and viability of this project and that it won't fall into a developer's hands in the future?

- If this parcel is rezoned to R-PUD, **By Right** buildings can be erected up to 55' and 65' with Council approval. That includes apartment buildings, office buildings, retail

Draft

establishments. Is the Town willing to allow this type of development in our established neighborhoods by approving rezoning of this small land parcel?

Please consider these and other's points when making your decision. I'm aware many people would like to see this project approved. However, we must look at the future impacts of this type of rezoning request. If approved, it will set a precedent for future development within the Town. The adjacent landowners/citizens have a right to protection from their Town representatives. The applicants, and most of their advocates, don't live in this neighborhood, and will not be affected by the impacts of the rezoning and subsequent/future development, if approved.

Respectfully,

Melissa Hunt
336 Stuyvesant Street
Warrenton, VA

Draft

From: "Kenneth Wilson" <[redacted]>
Sent: Tue, 10 Dec 2024 17:00:27 +0000
To: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Warrenton United Methodist Church/Hero's Bridge

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

Dear Members of the Town Council:

Our family has lived on Frazier Road since we moved here 29 years ago. We chose this town having lived in Fairfax County for most of our lives prior. In the nearly three decades we have been here, the Town has expanded in many ways, mostly through sensible and natural growth. The ability to have controlled growth has been due to the established zoning and land development rules. Those rules and laws allow citizens to make informed decisions about where we chose to purchase a home. In recent years there have been attempts to bend our zoning laws to accommodate rather dubious "growth" plans, including the shattering of existing laws to allow the Amazon data center project to proceed, even though the Planning Commision recommended against it.

Now we are faced with another request to change our existing zoning laws. I and my family are against the proposed changes to zoning to accommodate the Hero's Bridge project. The need to ignore the current zoning is reason enough to deny this project from going forward. If you have to twist existing zoning into a pretzel to make something fit, it clearly is not a good fit.

We have absolutely no problem with affordable housing for seniors, veterans, or anyone of any age trying to live in Warrenton. However, changing existing zoning rules for this is completely wrong. We ask that you please follow the recommendations of the Planning Commision and deny this application.

Best regards,
Kenneth Wilson
Kathie Wilson
Brandon Wilson
Emma Wilson

Draft

From: "Terri Luper Church" <[redacted]>
Sent: Tue, 10 Dec 2024 12:02:19 -0500
To: """ <citizencomment@warrentonva.gov>
Subject: in re Hero's Bridge
Attachments: Terri Church Heros Bridge to Town Council.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [redacted]. Learn why this is important

Hero's Bridge Village Effect on Property Values and Crime Rates
Terri and Michael Church
306 Stuyvesant Street, Warrenton, VA 20186.

My back fence runs right along the property of Warrenton United Methodist Church. My teenager walks home from Fauquier High School right in front of where the Hero's Bridge Village is planned almost every day. This is my neighborhood we're talking about. And I care about it.

The City of Alexandria, Virginia, did a study. From 2000-2020, the Urban Institute studied the effects of affordable housing projects on nearby home values and sales prices. You know what they learned?

"Affordable units in the city of Alexandria are associated with a small but statistically significant increase in property values of 0.09 percent within 1/16 of a mile of a development, on average—a distance comparable to a typical urban block."
https://www.urban.org/research/publication/assessing-impact-affordable-housingnearby-property-values-alexandria-virginia

Different research shows that CRIME RATES FELL when affordable housing was built.
https://amarkfoundation.org/reports/what-is-the-impact-of-low-income-housing-onproperty-values/#ref-42

WOW. Projects like Hero's Bridge Village have brought an increase in property values for people like me: the ones who live next door to where our heroes would live, and no change at all for the rest of you. And it would have a huge effect on the lives of those heroes themselves.

Stable, affordable housing provides benefits to both people with low incomes and local economies overall. Do what's best for our home values. Do what's best for our local businesses. Do what's best as a human being. Vote FOR the Hero's Bridge Village.

As a resident whose property abuts the property of Warrenton United Methodist Church, I strongly urge the Town Council to vote to support the building of Hero's Bridge Village.

--
Terri Luper Church

The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
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F (540) 349-2414

January 14th, 2025 Regular Town Council Meeting Minutes

Attachment 1: Signed legislation

Draft

Motion for Convening a Closed Session

Council Meeting Date: January 14th, 2025 Closed session #1 of 3

I move that the Council convene in closed session to discuss the following:

__X__ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:
____ Discussion, consideration or interviews of prospective candidates for employment or appointment; OR
____ assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town;
specifically dealing with Mr. Martin Crim, Town Attorney.

____ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving:
____ discussion or consideration of the acquisition of real property for a public purpose; OR
____ disposition of publicly held real property
specifically involving _____ *[Give location of property]*, because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.

____ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.

__X__ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:
____ probable litigation involving _____ *[Give subject]*; OR
__X__ the pending case of ___Freeman Vs. Town of Warrenton_____ *[Give case name]*,
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.

____ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to _____ *[Give nature of matter]*.

____ As permitted by Virginia Code § 2.2-371 l (A)(29), discussion of the award of a public contract for _____ *[Give nature of the contract]* involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.

____ As permitted by Virginia Code § _____, a matter involving:
_____.

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney.
Nays: Mr. David McGuire
Absent from Vote: None

Draft

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:
Absent from Vote: None

For Information:
Town Clerk

Effective date: January 14th, 2025.

Stephen Clough, Town Recorder

Draft

Motion for Convening a Closed Session

Council Meeting Date: January 14th, 2025, Closed session #2 of 3

I move that the Council convene in closed session to discuss the following:

__x__ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:
____ Discussion, consideration or interviews of prospective candidates for employment or appointment; OR
____ assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town;
specifically dealing with __Discussion of the Appointment of the Town Attorney Mr. Chap Peterson_____.

____ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving:
____ discussion or consideration of the acquisition of real property for a public purpose; OR
____ disposition of publicly held real property
specifically involving _____ *[Give location of property]*, because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.

____ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.

____ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:
____ probable litigation involving _____ *[Give subject]*; OR
____ the pending case of ___ _____ *[Give case name]*,
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.

____ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to _____ *[Give nature of matter]*.

____ As permitted by Virginia Code § 2.2-371 l (A)(29), discussion of the award of a public contract for _____ *[Give nature of the contract]* involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.

____ As permitted by Virginia Code § _____, a matter involving:
_____.

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.
Nays:
Absent from Vote: None

Draft

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Paul Mooney; Mr. David McGuire.
Nays:
Absent from Vote: None

For Information:
Town Clerk

Effective date: January 14th, 2025.

Stephen Clough, Town Recorder

Draft

Motion for Convening a Closed Session

Council Meeting Date: January 14th, 2025

Agenda Title: Closed Session- Legal review Closed Session #3 of 3

I move that the Council convene in closed session to discuss the following:

____ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:
____ Discussion, consideration or interviews of prospective candidates for employment or appointment; OR
____ assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town;
specifically dealing with _____ *[Give department, job title(s), or job category].*

____ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving:
____ discussion or consideration of the acquisition of real property for a public purpose; OR
____ disposition of publicly held real property
specifically involving _____ *[Give location of property]*, because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.

____ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.

____ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:
____ probable litigation involving _____ *[Give subject]*; OR
____ the pending case of _____ *[Give case name]*,
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.

__X__ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to **_Draft Resolutions Proposed on 02/13/24.** *[Give nature of matter].*

____ As permitted by Virginia Code § 2.2-371 l (A)(29), discussion of the award of a public contract for _____ *[Give nature of the contract]* involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.

____ As permitted by Virginia Code § _____, a matter involving:
_____.

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:
Absent from Vote: None

Draft

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney.

Nays:
Absent from Vote: Mr. David McGuire.

For Information:
Town Clerk

Effective date: January 14th, 2025,

Stephen Clough, Town Recorder

Draft

Stephen Clough
TOWN CLERK
T (540) 347-1101
sclough@warrentonva.gov

TOWN COUNCIL
H.E. Carter Nevill, Mayor
Paul W. Mooney
David A. McGuire
Roy M. Francis
William T. Semple II, Vice Mayor
Larry Kovalik
Michele G. O'halloran
Eric F. Gagnon

Attestation to Motion of Legal Action: Direction of Council

I Stephen Clough, Town Clerk and Town Recorder of the Town of Warrenton, Virginia, hereby attest the following motion was made by Vice Mayor William Semple at the January 14th, 2025, Regular Town Council Meeting of the Town of Warrenton, Virginia. Seconded by Councilwoman Michele O'Halloran.

I move that the Town of Warrenton Terminate the Town's Client Engagement Agreement with Sand's Anderson and accordingly Mr. Crim, Town Attorney, and enter into agreement with Mr. J Chapman Peterson & Associates to represent the Town of Warrenton Effective immediately.

Votes on the Motion:

Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire.

Nays: Mr. Paul Mooney.

For Information:

Town Attorney, Town Manager, FOIA Officer, Town Clerk

Stephen Clough, Town Clerk, Town Recorder

Town of Warrenton, Virginia.

Draft

January 14, 2025
Town Council
Regular Meeting
RES-25-01-01

A RESOLUTION TO ELECT THE VICE MAYOR FOR THE WARRENTON TOWN COUNCIL

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Town Council held their organizational meeting on January 14th, 2025; and

WHEREAS, the position of Vice Mayor is a Two Year term elected at the Organization Meeting biannually; and

WHEREAS, Mr. William Semple had been nominated by Ms. Michele O'Halloran for the Position of Vice mayor ; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby resolves to elect , Mr. William Semple as the Warrenton Town Council Vice Mayor for a two year term beginning January 1, 2025 through December 31, 2027.

ATTACHMENT: None

Votes:
Ayes: Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon.

Nays: Mr. Paul Mooney; Mr. David McGuire; Mr. Roy Francis.

Absent from Meeting: None

For Information:
Town Clerk

ATTEST: _____
Town Recorder

Draft

January 14th, 2025
Town Council
Regular Meeting
RES-25-01-02

RESOLUTION OF THE ORGANIZATIONAL MEETING OF THE TOWN COUNCIL FOR THE TOWN OF WARRENTON

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Town Council for the Town of Warrenton is meeting in its organizational session and desires to adopt certain resolutions for the organization of its current term; and

WHEREAS, the Town Council met at its regularly scheduled meeting on January 14th, 2024 and, pursuant to the general laws of the Commonwealth, desires to adopt the following resolution; and

NOW, THEREFORE BE IT RESOLVED by the Town Council for the Town of Warrenton that the members of Town Council shall meet in regular session on the second (2nd) Tuesday of each month at 6:30 p.m. at Town Hall, 21 Main Street, Warrenton, Virginia, unless otherwise provided, pursuant to Section § 15.2-1416 of the Code of Virginia, 1950, as amended, to wit

Tuesday, February 11, 2025	Tuesday, February 10, 2026
Tuesday, March 11, 2025	Tuesday, March 10, 2026
Tuesday, April 8, 2025	Tuesday, April 14, 2026
Tuesday, May 13, 2025	Tuesday, May 12, 2026
Tuesday, June 10, 2025	Tuesday, June 9, 2026
Tuesday, July 8, 2025	Tuesday, July 14, 2026
Tuesday, August 12, 2025	Tuesday, August 11, 2026
Tuesday, September 9, 2025	Tuesday, September 8, 2026
Tuesday, October 14, 2025	Tuesday, October 13, 2026
Wednesday, November 12, 2025	Tuesday, November 10, 2026
Tuesday, December 9, 2025	Tuesday, December 8, 2026
Tuesday, January 13, 2026	Tuesday, January 12, 2027

ATTACHMENT: None

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.
Nays:
Absent from Meeting: None

For Information: Town Clerk

ATTEST: _____
Town Recorder

TOWN OF WARRENTON VIRGINIA

Draft

January 14, 2025
Town Council
Regular Meeting
RES-25-01-03

RESOLUTION TO APPROVE BOND RELEASE REQUEST BOND-24-4 FOR FAUQUIER MEDICAL OFFICE BUILDING (SDP 2018-08)

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, a Site Development Plan for the Fauquier Medical Office Building located at 210 West Shirley Avenue, case number SDP 2018-08, was approved subject to the provision of a Public Improvements Bond placed on September 11, 2018, in the amount of $256,664.63; and

WHEREAS, an As-Built Plan was submitted and subsequently approved on December 3, 2024, to demonstrate conformity with the approved final plat and the ordinances and regulations of the Town of Warrenton as required by Section 10-9 of the Ordinance; and

WHEREAS, the Developer submitted a request on November 20, 2024, to release the Public Improvements Bond; and

WHEREAS, the Warrenton Town Council may grant period partial releases of any bond, escrow, letter of credit or other performance guarantee required for the completion of improvements which are to be bonded as provided in Section 10-8.5 of the Town of Warrenton Zoning Ordinance; and

NOW THEREFORE BE IT RESOLVED, by the Warrenton Town Council that the Public Improvements Bond in the amount of $256,664.63 is hereby released.

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.
Nays:
Absent from Vote:
Absent from Meeting: None

For Information:
Community Development Director,
Town Attorney

ATTEST: _____ **Town Recorder**

Draft

January 14th, 2025
Town Council
Regular Meeting
RES-25-01-04

A RESOLUTION CONFIRMING THE DECLARATION OF LOCAL EMERGENCY

WHEREAS, on Friday, January 3, 2025, Governor Youngkin declared a state of emergency in the Commonwealth of Virginia based on National Weather Service forecasts that indicate a severe winter storm with snow accumulations of several inches along with sleet, ice, freezing rain, and temperatures below freezing for several days that could cause transportation difficulties and power outages; and

WHEREAS, a potential, serious threat to the public health, safety, and welfare was created by Winter Storm Blair in the Town of Warrenton beginning January 05, 2025,

WHEREAS, on January 05, 2025, the Fauquier County Administrator, in her capacity as the local director of emergency management, upon the recommendation of the Fauquier County Chief of the Department of Fire, Rescue, and Emergency Management, issued a Declaration of Local Emergency; and

WHEREAS, the disruption in transportation routes threatens the delivery of public safety services and goods to citizens and businesses, requiring additional personnel, equipment, and personnel to be on available; and

WHEREAS, on January 5, 2025 at 7:00 PM under the Code of Virginia § 44- 146.19 Powers and duties of political subdivisions, and § 44-146.21 Declaration of local emergency, a local emergency exists in the Town of Warrenton, Virginia.

WHEREAS, that during the existence of said emergency, the powers, functions, and duties of the Emergency Manager and Emergency Management Coordinator of the Town of Warrenton shall be those prescribed by State law and the ordinances, resolutions, and approved plans of the Town including town code section *Sec. 20-6. - Emergency powers*, in order to mitigate the effects of said emergency, including:

- All Town of Warrenton assets are hereby ordered to be placed at the disposal of the Town Manager or Emergency Management Coordinator
- All Town regulations prescribing procedures for the conduct of Town business, if strict compliance would hinder necessary action in coping with the emergency, are hereby suspended. Suspension of such procedures shall be at the direction of the Town Manager or designee.
- All employees of the Town are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations, and directives – state and local.
- All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and emergency responders in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officials.

WHEREAS, by the Town Council of Warrenton Virginia this day, January XXXX, That the Declaration of Local Emergency made by the Town Manager on January 5, 2025 as a result of Winter Storm Blair, is hereby, confirmed.

ATTACHMENT: None

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:
Absent from Meeting:

Draft

For Information:
Town Manager
Town Emergency Coordinator

ATTEST: _____ **Town Recorder**

Draft

RESOLUTION OF APPROVAL

January 14, 2025
Town Council
Regular Meeting
RES-25-01-05

A RESOLUTION TO APPROVE A REQUEST BY DR. DAVID FERGUSON, PRINCIPAL, FAUQUIER HIGH SCHOOL, TO DISPERSE VULTURES AT THE AGRICULTURAL EDUCATION AREA BY USING VULTURE EFFIGIES INSTALLED BY THE WILDLIFE SERVICES DIVISION OF THE U.S. DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICE

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, Dr. David Ferguson, Principal of Fauquier High School (the "School"), located at 705 Waterloo Road has submitted a request for approval from the Warrenton Town Council to disperse vultures that are gathering on and around agricultural education structures at the School property by the use of vulture effigies; and

WHEREAS, the gathering and/or roosting of large numbers of vultures can contaminate surfaces with pathogens that may negatively affect the health and safety of students and staff that use the agricultural education area; and

WHEREAS, vultures are protected by the Migratory Bird Treaty Act of 1918, as regulated by the Federal government; and

WHEREAS, School staff has consulted with the Wildlife Services Division of the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) as to the most-appropriate method to disperse the vultures at the School agricultural education area; and

WHEREAS, Mr. Daniel Dawson, Wildlife Specialist with the Wildlife Services Division of the USDA, APHIS has determined that the optimal method of vulture dispersal at the agricultural education area is to install vulture effigies; and

WHEREAS, the School is responsible for compliance with all applicable Federal and State laws that may regulate this activity; and

WHEREAS, the School will coordinate and fund the installation of the effigies by Wildlife Services Division, USDA, APHIS staff; and

WHEREAS, the School will manage all monitoring and maintenance activities associated with the use of the effigies; and

WHEREAS, the School is responsible for providing notification of this activity to adjacent property owners as necessary and appropriate, where these property owners may have cause to view this activity; and

WHEREAS the School is responsible for notifying all staff and students of this activity, as well as for monitoring and/or restricting access to the effigy installation area as necessary and appropriate to ensure the health and safety of all School staff, students, and visitors; and

WHEREAS, the Warrenton Town Council finds that the use of effigies is appropriate for the agricultural use area as specifically proposed by the application materials provided by the School, for the intended purpose of protecting the health and safety of school students and staff; *now, therefore it be*

Draft

RESOLUTION OF APPROVAL

RESOLVED, by the Warrenton Town Council on this 14th day of January, 2025, that the request by the School to install vulture effigies within the agricultural use area is hereby approved, subject to all applicable Federal and State laws that may regulate this activity.

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.
Nays:
Absent from Vote:
Absent from Meeting:

For Information:
Community Development Director,
Town Attorney

ATTEST: _____
Town Recorder

Draft

January 14th, 2025
Town Council
Regular Meeting
RES-25-01-06

RESOLUTION TO RE-EVAULATE CERTAIN DEFENSES IN THE MATTER OF CHARLES AND MARYGAY CROSS, ET. AL., PLAINTIFFS-PETITIONERS VS. THE TOWN COUNCIL OF THE TOWN OF WARRENTON AND THE TOWN OF WARRENTON, DEFENDANTS

WHEREAS, on March 16, 2023, the above-named petitioners filed a Petition for Review and Complaint in Fauquier County Circuit Court ("Petition") appealing the decision of the Warrenton Town Council on January 14, 2023, to issue Special Use Permit 22-03 ("SUP 22-03") to Amazon Data Services, Inc. ("Amazon");

WHEREAS, Plaintiffs-Petitioners Kevin and Amy Hampton reside at 90 Dorset Lane, Warrenton VA, located approximately 400 feet of the Amazon property;

WHEREAS, Plaintiff-Petitioner Chrystal Mehl resides at 92 Dorset Lane, Warrenton, VA, located approximately 400 feet of the Amazon property;

WHEREAS, Plaintiff-Petitioner The Lauren-Donahoo-Hatchell Trust owns a single family residence at 525 Colony Court, within approximately 825 feet of the Amazon property, occupied by Lauren-Donahoo-Hatchell;

WHEREAS Plaintiffs-Petitioners Ms. Claudia Delores Sandoval González and Mr. Carlos Ivan Lemus Bojórquez own and reside at a single-family home nearby and to the northwest of the Amazon property that is commonly known as 23 Pepper Tree Court, Warrenton, Virginia 20186 (the "Bojórquez-Sandoval González Home"), just across Blackwell Road from the Property, an area that will be directly impacted by the Data Center's expected traffic, and will also suffer from impacts to viewshed, increased light and constant noise.

WHEREAS, on April 10, 2023, the Town filed a Motion Craving Oyer and Demurrer to the Petition, alone contesting the standing of the Petitioner-Plaintiffs;

WHEREAS, it is unclear whether the referenced residents were properly noticed;

WHEREAS, on April 12, 2023, Amazon filed an unopposed motion for leave to intervene, granted by order on April 14, 2023;

WHEREAS, on May 5, 2023, Amazon filed a Motion Craving Oyer, Demurrer, and Plea in Bar;

WHEREAS on June 7, 2023, CFFC filed an amended petition, which states that when the Council initiated a text amendment on April 13, 2021, to include data centers as a Special Use Pemit, ("The Data Center Resolution"), the resolution failed to state a public purpose as mandated by VA. Code § 15.2-2286(A)(7);

WHEREAS, if the Data Center Resolution was not "properly initiated" under VA. Code § 15.2-2286(A)(7), it may render Resolution void ab initio;

WHEREAS, at a December 13, 2023, hearing, the court found that the Plaintiffs Petitioners' petition had been timely filed and was properly before the Court;

WHEREAS at the same hearing, the court found that the "Plaintiffs do enjoy standing" and denied the Town's demurrer contesting the sufficiency of same;

Draft

WHEREAS, in light of the foregoing, the Town Council seeks to re-evaluate its role in the litigation and evaluate its legal options going forward;

NOW, THEREFORE, BE IT RESOLVED that in the interest of the public, and to further avoid the unnecessary expenditure of public resources, the Town Council hereby directs the Town Attorney to determine the appropriateness of the Town's defenses in this matter and seek the potential amendment of its Answer so as to withdraw certain defenses

ATTACHMENT: None

Votes:

Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon.

Nays: Mr. David McGuire; Mr. Paul Mooney.

Absent from Meeting: None

For Information:
Town Attorney

ATTEST: _____
Town Recorder

Draft

January 14th, 2025
Town Council
Regular Meeting
RES-25-01-07

RESOLUTION TO RELEASE EMAILS EXEMPTED FROM FOIA REQUEST T000177-101422

WHEREAS, , Warrenton, VA (hereinafter "The Town") is a municipal corporation located within the County of Fauquier,

WHEREAS, on October 14, 2022, the Town received request number T000177-101422 from Citizens for Fauquier County, a non-stock membership organization located in Warrenton, VA ("CFFC"), seeking under the Virginia Freedom of Information Act, Va. Code Ann. §§ 2.2-3700, *et. seq.* ("VFOIA") among other records within the meaning of VFOIA, documents and communications with the town mayor or the town managers pertaining to a proposed Amazon Development ("CFFC Request.")

WHEREAS, in response to the CFFC Request, the Town exempted 3,142 emails purportedly as follows: 2,633 emails involving the mayor or the town manager as chief executive officer pursuant to Virginia Code §§ 2.2-3705.7(2), 314 emails pursuant to Virginia Code §§ 2.2-3705.1 (2) ("Attorney-Client Privileged), and 195 emails pursuant Virginia Code §§2.2-3705.1(1) ("Personnel Exemption"); hereinafter "Confidential Documents";

WHEREAS, the Town asserted that the VFOIA exemption covered the "working papers and correspondence" of the mayor *and* the town manager as chief executive officer of the Town (the "CEO Exemption"), including emails where the Mayor and the Town Manager were merely on the distribution list and/or may have simply received a copy;

WHEREAS, CFFC appealed the Town's interpretation of the CEO Exemption to the Circuit Court of Fauquier County;

WHEREAS, the Circuit Court of Fauquier County (J. Swersky presiding) sustained the Town's interpretation of the exemption, denying CFFC any relief;

WHEREAS, on appeal by CFFC, a three-judge panel of the Virginia Court of Appeals unanimously reversed the lower court's ruling and remanded the case to the Circuit Court for further proceedings consistent with that ruling;

WHEREAS, Virginia Code 2.2-3705.7 allows for the disclosure of public records at the discretion of the custodian except where such disclosure is otherwise prohibited by law;

WHEREAS The Virginia Freedom of Information Act expressly states at VA. Code 2.2-3700 (B), "the provisions of this chapter shall be liberally construed to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operations of government."

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Council on this 14th Day of January 2025 and in conformation with the Appellate Court decision as attached hereto and made a part hereof, orders the clerk to do the following

Draft

THAT IT SHALL PURSUE THE IMMEDIATE RELEASE OF ALL EMAILS OR OTHER COMMUNICATIONS FOR WHICH A CEO OR MAYOR EXEMPTION WAS PREVIOUSLY CLAIMED IN RESPONSE TO FOIA REQUEST T000177-101422 MADE BY THE CITIZENS FOR FAUQUIER COUNTY, EXCEPT THAT EMAILS SHALL BE WITHHELD WHERE DISCLOSURE IS OTHERWISE PROHIBITED BY LAW ("LEGALLY EXEMPT DOCUMENTS"), WHICH REVIEW SHALL BE PROMPTLY UNDERTAKEN BY THE TOWN ATTORNEY OR HIS DESIGNEE. THE TOWN CLERK SHALL ALSO TAKE SUCH STEPS AS MAY BE NECESSARY TO MAKE THESE DOCUMENTS AVAILABLE TO ANY INTERESTED PERSONS.

ATTACHMENT:

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire.

Nays: Mr. Paul Mooney.

Absent from Meeting:

For Information:
Town Attorney

ATTEST: _____
Town Recorder

Draft

January 14th, 2025
Town Council
Regular Meeting
RES-25-01-08

RESOLUTION TO ESTABLISH WARRENTON COMMISSION ON OPEN AND TRANSPARENT GOVERNMENT

WHEREAS, the Town Council of Warrenton is a governing body of a municipal corporation in the Commonwealth of Virginia pursuant to Subtitle I and Subtitle 2 of Virginia Code §§15.2-100, et. seq.,

WHEREAS, Virginia Code § 15.2-1411 provides that the governing body of any locality may appoint advisory boards, committees, and commissions as necessary to advise the governing body with regard to any matter of concern to the locality

WHEREAS, such members shall be appointed to serve at the pleasure of the governing body,

WHEREAS, the governing body may appropriate such funds as necessary to pay for direct expenses incurred by such members, including legal expenses, and may be equipped to use discovery tools including subpoenas issued under Virginia Code §15.2-409;

WHEREAS certain controversies and litigation have arisen over the past two years relating to development applications voted on by the Town, and

WHEREAS, he Town Council of Warrenton has at this time concluded that the citizenry of the Town deserves a comprehensive review of the process used to evaluate and decide such development applications, particularly as pertaining to high-intensity commercial uses;

THEREFORE, BE IT RESOLVED, THAT THE TOWN COUNCIL OF WARRENTON SHALL HEREBY ESTABLISH "THE WARRENTON COMMISSION ON OPEN AND TRANSPARENT GOVERNMENT" WITH THE FOLLOWING AUTHORIZATIONS, DUTIES AND OBJECTIVES AIMED AT REFORMING AND IMPROVING TOWN PROCESSES:

1. Review the development applications process as managed by the Town of Warrenton, with specific focus on facilitating the public's timely awareness and understanding of said applications;

2. Review any application that has been before the Town in the past six (6) years that the Commission deems appropriate for review (i) so as to promote increased transparency and openness; and/or (ii) may reveal defective, or potentially improper, practices by Town government which require further investigation. Of initial and particular interest by the Town Council is the Town's approval of Special Use Permit 22-03 issued on February 14, 2023, to Amazon Web Services.

3. Conduct its review with the support of the Town Attorney and such outside experts and counsel as the Town Attorney may deem necessary to develop a record of relevant correspondence, applications, meetings, news reports and any other materials relevant to the selected application;

4. Prepare a report to Council within twelve (12) months of its formation, that provides the Commission's findings and recommendations regarding *inter alia* improvements to procedure, process and/or the Town's Code of Ethics to ensure that all communications with applicants are timely, open and transparent;

Draft

5. Appropriate such funds as necessary for the Commission to discharge its duties.

6. The composition of the Committee shall consist of two members of the Town Council, one of whom shall be the Vice Mayor, and three town residents selected by them and confirmed by the Council.

ATTACHMENT:

Votes:
Ayes:
Nays:
Absent from Meeting:

For Information:
Town Attorney

ATTEST: _____
Town Recorder

Draft

January 14th, 2025
Town Council
Regular Meeting
RES-25-01-09

RESOLUTION TO WITHDRAW PETITION FOR APPEAL

WHEREAS, Warrenton, VA (hereinafter "The Town") is a municipal corporation located within the County of Fauquier;

WHEREAS, Citizens for Fauquier County, a non-stock membership organization located in Warrenton, VA ("CFFC") filed two requests (T000148-071222 and T000177-101422) to the Town under the Virginia Freedom of Information Act, Va. Code Ann. §§ 2.2-3700, et. seq. ("VFOIA") seeking, among other records within the meaning of VFOIA, documents and communications with the town mayor and the town managers pertaining to a proposed Amazon Development;

WHEREAS, in response to VFOIA request T000177-191422 specifically, the Town exempted 3,142 emails, claiming 2,633 emails involving either the mayor or chief executive officer as exempt pursuant to §§ 2.2-3705.7(2), 314 emails as exempt pursuant to §§ 2.2-3705.1 (2) ("Attorney-Client Privileged), and 195 emails as exempt pursuant §§2.2-3705.1(1) ("Personnel Exemption");

WHEREAS, on December 19, 2022, CFFC filed a Petition for Writ of Mandamus, Injunctive Relief and Award of Civil Penalties against the Town of Warrenton and Stephen Clough, Town Clerk ("Lawsuit") demanding the release of said 3,142 emails ("Confidential Documents");

WHEREAS, at a January 6 , 2023 hearing before Judge Alfred D. Swersky in the Fauquier Circuit Court, the Town Attorney proffered that the Confidential Documents were about the steps for Amazon to gain approval for the proposed datacenter, the special-use permit that was required, and the tax revenue generated by the project;

WHEREAS, on February 7, 2023, Judge Alfred D. Swersky of the Fauquier Circuit Court denied all relief sought by CFFC;

WHEREAS, upon appeal by CFFC, the Virginia Court of Appeals issued a ruling dated July 30, 2024, on behalf of the unanimous three judge panel, which reversed the Circuit Court's ruling and ordered the disclosure of those emails which had been withheld under "the Chief Executive Officer" exemption from VFOIA;

WHEREAS, on September 27, 2024, the Town of Warrenton appealed the ruling by the Virginia Court of Appeals to the Virginia Supreme Court, to which the Appellee filed a brief in opposition on October 18, 2024 ("Petition for Appeal");

WHEREAS as of January 14, 2025, the Town's appeal has not been docketed for a hearing before the Virginia Supreme Court;

WHEREAS the Town Council now seeks to withdraw the appeal as relating to the Confidential Documents, as well as any objection to that production; and disclose said documents pursuant to its discretion under Va. Code §2.2-3705.7;

WHEREAS the Town and its counsel will continue to defend itself and any agents against any monetary or other penalties that may be sought at the Circuit Court level

Draft

THEREFORE, BE IT RESOLVED be it resolved that the Town Council directs the Town Attorney to seek the withdrawal of the Petition for Appeal forthwith, and to provide all necessary or appropriate notices in connection therewith.

ATTACHMENT:

Votes:
Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire.

Nays: Mr. Paul Mooney.

Absent from Meeting:

For Information:
Town Attorney

ATTEST: _____
Town Recorder

Draft

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9th, 2025
Agenda Title:	Emergency Management Appointment Confirmations
Requested Action:	Approve the Resolutions
Department / Agency Lead:	Office of Emergency Management
Staff Lead:	Frank Cassidy, Town Manager / Johnny Switzer, EM Coordinator

EXECUTIVE SUMMARY

The Town of Warrenton, Virginia, recognizes the importance of proactive emergency management and in 2020 established an Office of Emergency Management to address potential hazards and protect its citizens.

This report outlines the legal basis and procedural steps taken to confirm the appointments of the Director and Coordinator of Emergency Management for the Town of Warrenton. Following its designation as an independent emergency management jurisdiction by the Virginia Department of Emergency Management (VDEM), the Town is required by the Code of Virginia to appoint a Director of Emergency Management, a role held ex officio by the Town Manager, and a Coordinator of Emergency Management. This report summarizes the resolutions to formally confirm these appointments, ensuring the Town's compliance with state law and solidifying its leadership structure for emergency preparedness and response.

BACKGROUND

The Town of Warrenton established the Office of Emergency Management by amending the Town Code with the addition of Chapter 20 - Emergency Management on July 11, 2022. This action was taken in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia.

On April 22, 2025, the Virginia Department of Emergency Management designated the Town of Warrenton as an independent political subdivision for the purposes of emergency management. This designation obligates the Town to establish and maintain a comprehensive local emergency management program and a clear leadership structure as defined by state law.

STAFF RECOMMENDATION

Approve the Resolutions as written.

Service Level/Collaborative Impact

Legal and Policy Requirements for Appointments

The legal requirements for the appointment of emergency management personnel are outlined in the Code of Virginia, Title 44, Chapter 3.2.

- **Director of Emergency Management:** The Code of Virginia, § 44-146.19, establishes that the director of emergency management for a political subdivision shall be the chief executive officer. The Town of Warrenton Code of Ordinances, Chapter 20, Section 20-3, aligns with this provision by establishing that the Town Manager shall serve as the Director of Emergency Management.
- **Coordinator of Emergency Management:** The Code of Virginia, § 44-146.19.4, also stipulates that for towns with a population in excess of 5,000 having an emergency management organization separate from that of the county, the mayor or town manager shall appoint a coordinator of emergency services with the consent of the council.

Confirmation of Appointments

In accordance with these legal requirements, the following appointments are being confirmed:

1. **Francis Cassidy, Director of Emergency Management:** Mr. Cassidy serves as the Town Manager, and by virtue of this position, is the Director of Emergency Management. The Town Council resolution formally confirms this appointment as of December 12, 2023, the date of Mr. Cassidy's appointment as Town Manager. This confirmation fulfills the requirement for the Town Council to consent to the appointment of the Director and ensures the position is formally recognized within the Town's organizational structure for emergency management.
2. **Johnny Switzer, Coordinator of Emergency Management:** Mr. Switzer was assigned the role of Coordinator of Emergency Management by Director Cassidy on August 20, 2024. This appointment is made with the consent of the Town Council and meets the requirement of the Code of Virginia for a town with an independent emergency management organization.

Policy Direction/Warrenton Plan 2040

With the new designation, the Town of Warrenton must establish and maintain a comprehensive local emergency management program. Key policy directions include:

- **Appointments:** The council must confirm the appointments of Mr. Frank Cassidy as Director and Mr. Johnny Switzer as Coordinator of Emergency Management.
- **Alert System:** The establishment of an "ALERT WARRENTON" notification and emergency warning system is a priority.
- **Continuity of Operations Plan (COOP):** The town will need to review and adopt the 2025 COOP update.

Legal & Fiscal Impact

The legal requirements for the appointment of emergency management personnel are outlined in the Code of Virginia, Title 44, Chapter 3.2.

The confirmation of these appointments carries no direct fiscal impact, as the roles are designated to existing staff. However, the legal impact is significant. By formally confirming these appointments, the Town of Warrenton ensures its compliance with the Code of Virginia and the terms of its independent designation by VDEM. This action solidifies the leadership structure, which is crucial for the effective and legal operation of the Town's emergency management program.

ATTACHMENTS

1. Resolution – Confirmation of Appointment of Director of Emergency Management
2. Resolution – Confirmation of Emergency Management Coordinator

COMMONWEALTH OF VIRGINIA
Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

JOHN J. SCRIVANI
Acting State Coordinator

TO: Frank Cassidy, Town Manager/Director of Emergency Management
Johnny H. Switzer, Town of Warrenton Coordinator of Emergency Management

FROM: John J. Scrivani, Acting State Coordinator

DATE: April 22, 2025

RE: Designation of Emergency Management Organization

Director Cassidy,

I am pleased to inform you that the Virginia Department of Emergency Management (VDEM) has approved the Town of Warrenton's request to be recognized as an independent political subdivision solely for the purposes of emergency management, as defined in §44-146.16 of the Code of Virginia. This designation affirms the town's commitment to maintaining a robust and self-sufficient emergency management program in accordance with Title 44 of the Code of Virginia.

As an independent emergency management jurisdiction, the Town of Warrenton is now responsible for establishing and maintaining a comprehensive local emergency management program. In addition to maintaining the requirements for application, this includes, but is not limited to, the following requirements:

1. **Local Capability Assessment of Readiness (LCAR):** The Town of Warrenton must complete and submit the LCAR survey on or before August 1 of each year. VDEM regional staff will be available to provide assistance completing this survey if needed.

2. **Utilizing VDEM Systems:** The Town will be given access to VDEMs external reporting and communication systems including WebEOC and Crisis Track to support unified coordination during response and recovery.

3. **Annual Exercise After Action Review and Integrated Preparedness Planning Workshop (IPPW):** A representative from the Town of Warrenton's Office of Emergency Management will

attend the annual Region 2 including incident after action reviews.

4. **Compliance with Title 44:** As shown in the document provided with your request, the Town of Warrenton is committed to maintaining full compliance with all requirements and responsibilities imposed on political subdivisions under Title 44. The adoption of Chapter 20 of the Town Code, establishing the framework for a stand-alone EMA, demonstrates this commitment.

We commend the Town of Warrenton for its commitment to strengthening local emergency preparedness and resilience. As a political subdivision in VDEM Region 2, the Region 2 team will serve as your primary point of contact for the state and be available to support your town in preparing for, responding to, recovering from, and mitigating against the impacts of disasters. Please do not hesitate to reach out should you require any support developing and enhancing your program.

Congratulations on this important milestone. We look forward to working closely with you to enhance the safety and security of your community.

Sincerely,

John Scrivani

August 12th, 2025
Town Council
Regular Meeting
Res. No.

A RESOLUTION CONFIRMING THE APPOINTMENT OF FRANCIS CASSIDY AS THE DIRECTOR OF EMERGENCY MANAGEMENT FOR THE TOWN OF WARRENTON

WHEREAS, on July 11th, 2022, the Town Council of the Town of Warrenton affirmed that pursuant to the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia, the Town Code was thereby amended by the addition of Chapter 20 - Emergency Management; and

WHEREAS, in accordance with Code of Virginia, § 44-146.19, the office of emergency management was therefore created on July 11th, 2022, and serves as the agency of emergency management for the Town of Warrenton; and

WHEREAS, the Town of Warrenton, Virginia, has been designated by the Virginia Department of Emergency Management as an independent political subdivision solely for the purposes of emergency management as defined in § 44-146.16 of the Code of Virginia; and

WHEREAS, Va. Code §44-146.19 requires each political subdivision to establish that the position of Director of Emergency Management, the Town appointed this role to the Town Manager, per Town of Warrenton Code of Ordinances, Chapter 20, Section 20-3; and

WHEREAS, the Town Council desires that Mr. Cassidy, as Town Manager, be appointed to the Warrenton Emergency Management Agency as the Director of Emergency Management, and Mr. Cassidy consent and agrees to the responsibilities incumbent on that office; and

WHEREAS, the Town Council of the Town of Warrenton deems it necessary and appropriate to formally confirm the appointment of Francis Cassidy to the aforementioned role.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Warrenton, Virginia, that the appointment of Francis Cassidy as the Director of Emergency Management is hereby confirmed.

BE IT FURTHER RESOLVED, that this appointment shall be effective as of December 12, 2023, the date of Mr. Cassidy's appointment as Town Manager, and shall remain in effect until a new appointment is made or until otherwise directed by the Town Council.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon its adoption.

ATTACHMENT: None

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

For Information:
Town Manager
Town Emergency Coordinator

ATTEST: _____
Town Recorder

August 12th, 2025
Town Council
Regular Meeting
Res. No.

A RESOLUTION CONFIRMING THE APPOINTMENT OF JOHNNY H. SWITZER AS THE COORDINATOR OF EMERGENCY MANAGEMENT FOR THE TOWN OF WARRENTON

WHEREAS, on July 11th, 2022, the Town Council of the Town of Warrenton affirmed that pursuant to the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, § 44-146.13 et seq., Code of Virginia, the Town Code was thereby amended by the addition of Chapter 20 - Emergency Management; and

WHEREAS, in accordance with Code of Virginia, § 44-146.19, the office of emergency management was therefore created on July 11th, 2022, and serves as the agency of emergency management for the Town of Warrenton; and

WHEREAS, the Town of Warrenton, Virginia**,** has been designated by the Virginia Department of Emergency Management as an independent political subdivision solely for the purposes of emergency management as defined in § 44-146.16 of the Code of Virginia; and

WHEREAS, Va. Code §44-146.19 requires each political subdivision to establish that the position of Director of Emergency Management, the Town appointed this role to the Town Manager, per Town of Warrenton Code of Ordinances, Chapter 20, Section 20-3; and

WHEREAS, pursuant to Va. Code §44-146.19(B)(4), the Town Manager, Frank Cassidy, assigned Johnny H. Switzer as the Coordinator of Emergency Management on August 20, 2024; and

WHEREAS, in accordance with that subsection, Mr. Switzer's role officially requires the consent of the Town Council, and the Town Council desires that Mr. Switzer be appointed to the Warrenton Emergency Management Agency as the Coordinator of Emergency Management; and

WHEREAS, the Town Council of the Town of Warrenton deems it necessary and appropriate to formally confirm the appointment of Johnny H. Switzer to the aforementioned role.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Warrenton, Virginia, that the appointment of Johnny H. Switzer as the Coordinator of Emergency Management is hereby confirmed.

BE IT FURTHER RESOLVED, that this appointment shall be effective as of August 20, 2024, the date of the Town Manager's assignment of the role, and shall remain in effect until a new appointment is made or until otherwise directed by the Town Council.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon its adoption.

ATTACHMENT: None

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

For Information:
Town Manager
Town Emergency Coordinator

ATTEST: _____
Town Recorder

Office of the Town Manager
Frank Cassidy

STAFF REPORT

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	September 9th, 2025
Agenda Title:	VDOT SGR FUNDS (Broadview Avenue)
Requested Action:	Consider Approval of the Resolution & VDOT Agreement
Department / Agency Lead:	Public Works
Staff Lead:	Michael Wharton, Project Coordinator

EXECUTIVE SUMMARY

The Town was awarded $57,995 from the VDOT State of Good Repair fund. These include the resurfacing of the following sections of roadways within Town limits:

- Broadview Avenue Northbound Lane from Town Limits to 0.015 miles South of Town Limits
- Broadview Avenue Southbound Lane from Town Limits to 0.033 miles South of Town Limits

VDOT requires a resolution passed and a signed agreement for the local jurisdiction to move forward with the projects. The resolution and agreement are standard format for VDOT on these projects. Once the resolution is passed and the agreement is signed and returned to VDOT, VDOT will obtain all necessary signatures from the appropriate VDOT personnel to be executed.

This is standard procedure for these types of projects. There are no costs to the Town for these projects as outlined in Appendix A in the VDOT agreement package attached. The projects are placed on VDOT calendar to be completed within six years of authorization.

BACKGROUND

The Town applied for State of Good Repair projects in October 2024. This project was submitted as part of the continuing resurfacing projects within Town limits based upon the conditions of roadways and the availability of funds through VDOT. The Town was awarded these projects on August 18, 2025.

STAFF RECOMMENDATION

Staff recommend that the Council consider adoption of the following resolution to appropriate the SGR funds:

1. A Resolution to Amend the Fiscal Year 2025 Adopted Budget to Appropriate Virginia Department of Transportation Grant Funding in the Amount of $57,995 to Fund Resurfacing of Roadways within Town Limits

Service Level/Collaborative Impact

Public works and VDOT are the main parties affected by this agreement.

Policy Direction/Warrenton Plan 2040

T-1: Improve multi-modal capacity and safety that encourages trips by walking, bicycling, and transit.

T-2: Enhance the traveling experience by creating great streets.

T-3: Promote livability in the Town by creating great places where residents and visitors feel welcome and safe.

T-4: Provide an equitable and connected Multi-Modal Network.

Fiscal Impact

No impact, the project is fully funded by VDOT.

Legal Impact

None

ATTACHMENTS

1. UPC 127673 Agreement Package
2. Resolution to Amend FY-25 Budget

STANDARD PROJECT ADMINISTRATION AGREEMENT
State-aid Projects

Project Number	UPC	Local Government
0017-156-335	127673	TOWN OF WARRENTON

THIS AGREEMENT, is hereby made and effective the date of the last (latest) signature set forth below, by and between the TOWN OF WARRENTON, VIRGINIA, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT. The DEPARTMENT and the LOCALITY are collectively referred to as the "Parties."

WHEREAS, the LOCALITY has expressed its desire to administer the work described in Appendix A, and such work for each improvement shown in Appendix A is hereinafter referred to as the "Project;" and

WHEREAS, the funds shown in Appendix A have been allocated to finance the Project and the funding currently allocated or proposed for the Project does not include Federal-aid Highway funds; and

WHEREAS, the LOCALITY is committed to the development and delivery of the Project in an expeditious manner; and

WHEREAS, the LOCALITY is responsible for administering the Project in accordance with DEPARTMENT guidelines, including the most current *Locally Administered Projects Manual* ("LAP Manual"), and with the program specific requirements shown in Appendix B, based on the nature of the allocated funding for the Project as shown in the Appendix A; and

WHEREAS, the LOCALITY's governing body has by resolution, demonstrated the LOCALITY'S commitment to provide local funding for the Project as contemplated by this Agreement and further, by resolution or otherwise, authorized its designee to execute this Agreement, and said authorizations are attached hereto.

WHEREAS, the Parties have concurred in the LOCALITY's administration of all phases of work for the Project in accordance with applicable federal, state and local laws and regulations.

NOW THEREFORE, in consideration of the mutual premises contained herein, the Parties hereto agree as follows:

1. The representations, covenants and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section 1.

2. The LOCALITY shall:

a. Be responsible for all activities necessary to complete the noted phase(s) of the Project as shown in Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as expressly required by federal or state laws and regulations, or as otherwise agreed to, in writing, between the Parties. Every phase of the Project will be designed and constructed to meet or exceed current American Association of State Highway and Transportation Officials standards when the facilities are locally maintained and shall further comply with all supplementary standards established by the DEPARTMENT when the facilities are maintained by the DEPARTMENT.

b. Meet all funding obligation and expenditure timeline requirements in accordance with all applicable federal and state laws and regulations, all applicable Commonwealth Transportation Board and DEPARTMENT policies, and those additional requirements as identified in Appendices A and B to this Agreement. Noncompliance with this requirement may result in deallocation of the funding from the Project, rescission of state funding match, termination of this Agreement, or the DEPARTMENT denial of future requests to administer projects by the LOCALITY, all of which actions are at the discretion of the DEPARTMENT or as can be taken pursuant to applicable laws, regulations or policies.

c. Administer the Project in accordance with the DEPARTMENT's most current LAP Manual and other guidelines applicable to Locally Administered Projects as published by the DEPARTMENT.

d. Provide timely certification by a LOCALITY official of the LOCALITY'S compliance with applicable laws and regulations on the **State Certification Form for State Funded Projects** or in another manner as prescribed by the DEPARTMENT.

e. Maintain accurate and complete records of the Project's development as required in the LAP Manual and any supplemental guidance and directives of the DEPARTMENT and retain documentation of all expenditures and make such information available for inspection or auditing by the DEPARTMENT upon request. Records and documentation for the Project shall be maintained for no less than three (3) years following the DEPARTMENT'S acceptance of the final voucher on the Project.

f. At least quarterly, but no more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of vendor and contractor invoices paid by the LOCALITY, an up-to-date Project summary and schedule, and a summary of all payment requests, payments and adjustments. A request for reimbursement shall be made within 90 days after any eligible project expenses are incurred by the LOCALITY. Reimbursement for eligible expenditures shall not exceed funds allocated each year for the Project by the Commonwealth Transportation Board in the Six Year Improvement Program.

g. Reimburse the DEPARTMENT for all Project expenses incurred by the DEPARTMENT if, due to action or inaction of the LOCALITY, the Project becomes ineligible for state reimbursement, or in the event the reimbursement is required by the provisions of § 33.2-214 or § 33.2-331 of the Code of Virginia (1950) as amended, or other applicable provisions of state law or regulations.

h. On Projects that the LOCALITY is providing the required match to state funds, pay the DEPARTMENT the LOCALITY's match for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 2.a.

i. Administer the Project in accordance with all applicable federal, state, and local laws and regulations. Failure to fulfill legal obligations associated with the Project may result in forfeiture of state-aid reimbursements

j. If legal services other than that provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the Project.

3. The DEPARTMENT shall:

a. Perform any actions and provide any decisions and approvals, within a reasonable time, which are the responsibility of the DEPARTMENT, as required by federal and state laws and regulations or as otherwise agreed to, in writing, between the parties.

b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 2.f, reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.

c. Where applicable, submit invoices to the LOCALITY for the LOCALITY's share of eligible Project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a. and 3.a.

d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with applicable laws and regulations.

e. Upon LOCALITY'S request, make available to the LOCALITY guidelines to assist the Parties in carrying out responsibilities under this Agreement.

4. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to § 33.2-1011 of the Code of Virginia (1950), as amended.

5. Nothing in this Agreement shall obligate the Parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. State and federal Project funding is limited to those identified in the Appendix A of this Agreement and is allocable only upon LOCALITY'S compliance with all requirements of this Agreement. In the event the cost of all or part of the Project is anticipated to exceed the allocation shown on Appendix A, the Parties agree to cooperate in seeking additional funding for the Project or to terminate the Project before Project costs exceed the allocated amount. Any requested increase in federal or state funding is subject to DEPARTMENT policy and procedures applicable to the funding source and is not guaranteed.

6. Nothing in this Agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.

7. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and capacity and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either Party, in their individual or personal capacity, for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.

8. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than the Parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, received a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.

9. This Agreement may be terminated by either Party upon 30 days advance written notice to the other Party. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs, 2.g., 2.h, and 3.b, subject to the limitations established in this Agreement and Appendix A. Upon termination and unless otherwise agreed to, the DEPARTMENT shall retain ownership of plans, specifications, and right of way for which state funds have been provided, unless all state funds provided for the Project have been reimbursed to the DEPARTMENT by the LOCALITY, in which case the LOCALITY will have ownership of the plans, specifications, and right of way.

10. Prior to any action pursuant to paragraphs 2.b or 2.h of this Agreement, the DEPARTMENT shall provide notice to the LOCALITY with a specific description of the LOCALITY'S breach of this Agreement. Upon receipt of a notice of breach, the LOCALITY will be provided the opportunity to cure such breach or to provide a plan to cure to the satisfaction to the DEPARTMENT. If, within sixty (60) days after receipt of the written notice of breach, the LOCALITY has neither cured the breach, nor is diligently pursuing a cure of the breach to the satisfaction of the DEPARTMENT, then upon receipt by the LOCALITY of a written notice from the DEPARTMENT stating that the breach has neither been cured, nor is the LOCALITY diligently pursuing a cure, the DEPARTMENT may exercise any remedies it may have under this Agreement or at law or in equity.

11. THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the Parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any Party.

12. THE LOCALITY and the DEPARTMENT further agree that should Federal-aid Highway funds be added to the Project, this Agreement is no longer applicable. The LOCALITY and the DEPARTMENT mutually agree that they shall then enter into a Standard Project Administration Agreement for Federal-aid Projects upon execution of which this Agreement shall be terminated.

13. THIS AGREEMENT, when properly executed, shall be binding upon both Parties, their successors, and assigns.

14. THIS AGREEMENT may be modified only in writing by mutual agreement of the Parties.

15. THIS AGREEMENT may be executed in multiple counterparts by digital or wet signature or a combination thereof. All counterparts together constitute one single, legally binding agreement. Electronic copies of this AGREEMENT, and scanned and transmitted signatures, including those sent as email attachments, shall be considered originals for the purposes of this AGREEMENT.

The remainder of this page is BLANK

IN WITNESS WHEREOF, each Party hereto has caused this Agreement to be executed by their duly authorized representatives, acknowledging and agreeing that any digital signature affixed hereto shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature.

TOWN OF WARRENTON, VIRGINIA:

Signature Date

Title

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this Agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

Signature Date

Chief of Policy, Commonwealth of Virginia, Department of Transportation

Attachments

Appendix A
Appendix B

Appendix A - Locally Administered

Version: Original Prepared Date: 8/14/2025

Project Details

UPC: 127673 *State Project #:* 0017-156-335 *CFDA #:* 20.205 *Locality UEI #:* CV82QQPKJWJ9

Locality: Town of Warrenton *Address:* 21 Main St., Warrenton, VA 20186-3419

Work Description: #SGR26LP- RTE 17 BUSINESS SGR PAVING *Project Location (Zip +4)* 20186-2007

Project Points of Contact

Locality Project Manager	
Name:	Michael Wharton
Phone:	540-714-9234
Email:	MWHARTON@WARRENTONVA.GOV

VDOT Project Coordinator	
Name:	John Price
Phone:	540-347-6371
Email:	John.Price@VDOT.Virginia.gov

Project Estimates

	Preliminary Engineering	Right of Way and Utilities	Construction	Total
Estimated Locality Project Expenses	$0	$0	$55,595	$55,595
Estimated VDOT Project Oversight	$0	$0	$2,400	$2,400
Estimated VDOT Project Services (Appendix C)	$0	$0	$0	$0
Estimated Total Project Costs	$0	$0	$57,995	$57,995

Project Financing

Allocated Funds Type	Allocated Funds Amount	Local % Participation	Local Share Total	Max Reimbursement to Locality	Total Estimated Reimbursement to Locality
SGR	$57,995	0%	$0	$57,995	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
			$0	$0	
Funding Totals	$57,995		$0	$57,995	$55,595

Note - The funds order is not indicative of the actual spend order of funds on the project.

This Appendix A supersedes all previous versions signed by VDOT and the LOCALITY for the Project.

Authorized Locality Official Date

Authorized VDOT Official Date

Printed Name of Locality Official

Printed Name of VDOT Official

Title of Locality Official

Title of VDOT Official

This attachment is certified and made an official attachment to this document by the Parties to this Agreement.

Appendix B – Special Funding Program Conditions and Requirements

Project Number	UPC	Local Government
0017-156-335	127673	TOWN OF WARRENTON

SMART SCALE

Administration of this Project, including but not limited to the Project estimate, schedule and commitment to funding, is subject to the requirements established in the Commonwealth Transportation Board's (CTB's) most current *Policy for Implementation of the SMART SCALE Project Prioritization Process*, the applicable requirements of the Code of Virginia, and VDOT's applicable *Instructional and Informational Memoranda*.

Without limiting the foregoing, this Project has been selected through the Smart Scale (HB2) application and selection process and will remain in the Six-Year Improvement Plan (SYIP) as a funding priority unless certain conditions set forth in the CTB's most current *Policy for Implementation of a Project Prioritization Process* arise. Pursuant to the CTB's *Policy for Implementation of a Project Prioritization Process*, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent SMART SCALE prioritization cycle to account for a cost increase on a previously selected Project.

This Project shall be initiated and at least a portion of the Project's programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the CTB, the LOCALITY or the localities within the metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the DEPARTMENT for all state and federal funds expended on the Project.

Transportation Alternatives Program

This Project shall be administered in accordance with VDOT's most current *Transportation Alternatives Program Guide.*

Without limiting the foregoing, CTB policy for allocations from the Transportation Alternatives Programs requires that the Project must be advertised or otherwise under construction within four years of the initial Project allocation or otherwise be subject to deallocation, unless prior Department approval has been provided.

The DEPARTMENT shall conduct all environmental studies necessary to complete an environmental document in compliance with the National Environmental Policy Act, unless otherwise agreed to in writing and attached to this Agreement. The LOCALITY is responsible for implementing any environmental commitments resulting from the environmental studies. In addition, the LOCALITY is responsible for obtaining any water quality permits and conducting

any required hazardous materials due diligence efforts. VDOT's estimated cost for the environmental studies and submissions will be provided to the LOCALITY and deducted from the Project funds.

Regional Surface Transportation Program (RSTP)

Allocated Regional Surface Transportation Program funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Congestion Mitigation Air Quality (CMAQ)

Allocated Congestion Mitigation and Air Quality Program funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Revenue Sharing

This Project shall be administered in accordance with VDOT's most current *Revenue Sharing Program Guidelines.*

Without limiting the foregoing, the Project shall be initiated such that at least a portion of the Revenue Sharing Funds are expended within one year of allocation. For any project that has not been initiated within one year, the CTB has the discretion to defer consideration of future allocations until the Project moves forward. Further, if the Project has not been initiated within two fiscal years subsequent to the allocation of Revenue Sharing Funds, the Revenue Sharing Funds for the Project may be subject to deallocation from the Project at the discretion of the CTB.

State of Good Repair (SGR) Bridge

Project estimate, schedule, and commitment to funding are subject to the requirements established in the CTB's *State of Good Repair Program Prioritization Process Methodology*, the Code of Virginia, and VDOT's *Instructional and Informational Memoranda*.

Projects receiving funding under this program must initiate the Preliminary Engineering or the Construction Phase within 24 months of award of funding or become subject to deallocation. In the event the Project is not advanced to the next phase of construction, the LOCALITY may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the Project.

This Project has been selected through the State of Good Repair application and selection process and will remain in the SYIP as a funding priority. Pursuant to the CTB's *State of Good Repair Program Prioritization Process Methodology*, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual State of Good Repair prioritization cycle for the same bridge structure to account for a cost increase on a previously selected Project.

State of Good Repair (SGR) Paving

Project estimate, schedule, and commitment to funding are subject to the requirements established in the CTB's *State of Good Repair Program Prioritization Process Methodology*, the Code of Virginia, and VDOT's *Instructional and Informational Memoranda*.

Projects receiving funding under this program must be advertised within twelve months of award funding or be subject to deallocation. In the event the Project is not advanced to the next phase of construction, the LOCALITY may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the Project.

This Project has been selected through the State of Good Repair application and selection process and will remain in the SYIP as a funding priority. Pursuant to the CTB's State of Good Repair Program Prioritization Process Methodology, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual State of Good Repair prioritization cycle for the same roadway segment to account for a cost increase on a previously selected Project.

Economic Access

This Project shall be administered in accordance with VDOT's most current *Economic Development Access Program Guide.*

Airport Access

This Project shall be administered in accordance with VDOT's most current *Airport Access Program Guide.*

Recreational Access

This Project shall be administered in accordance with VDOT's most current *Recreational Access Program Guide.*

Highway Safety Improvement Program (HSIP)

Allocated Highway Safety Improvement Program (HSIP) funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.

Local Funds

All local funds included in Appendix A have been formally committed by the LOCALITY board or council, subject to appropriation.

_____

Authorized Locality Official Signature and Date

_____

Printed Name of Locality Official

September 9, 2025
Town Council
Regular Meeting
Res. No.

A RESOLUTION TO AMEND THE FISCAL YEAR 2026 ADOPTED BUDGET TO APPROPRIATE VIRGINIA DEPARTMENT OF TRANSPORTATION GRANT FUNDING IN THE AMOUNT OF $57,995 TO FUND RESURFACING OF ROADWAYS WITHIN TOWN LIMITS

WHEREAS, the Warrenton Town Council is charged by the Code of Virginia with the preparation of an annual budget for the Town of Warrenton; and

WHEREAS, on September 9, 2025, the Town Council adopted the Town of Warrenton Fiscal Year 2025 Budget; and

WHEREAS, during the fiscal year, certain events occur that necessitate amending the budget; and

WHEAREAS, the Town has been approved by the Department of Transportation to receive $57,995 of State of Good Repair funds for the resurfacing of northbound lane of Broadview Avenue from town limits to 0.015 miles South of town limits and southbound lane of Broadview Avenue from town limits to 0.033 miles South of town limits; and

NOW, THEREFORE, BE IT RESOLVED, that the Warrenton Town Council Hereby amends the Fiscal Year 2025 Adopted Budget to appropriate $57,995 of grant revenue to implement the resurfacing of roadways within Town limits and grants authority for the Town Manager to execute project administration agreements for this approved State of Good Repair projects.

Votes:
Ayes:
Nays:
Absent from Meeting:

For Information:
Project Coordinator

ATTEST: _____
Town Recorder