



AGENDA

Board of Supervisors Meeting

9:00 AM

September 6, 2022

Opening with Prayer

- A. Call to Order and Pledge of Allegiance of the United States of America
- B. Adoption of Agenda – Additions or Deletions
- C. Public Comment Period (60 Minute Time Limit)
- D. Report on the Regional Broadband Initiative – Brandon Davis
- E. Report from the Lord Fairfax Soil and Water Conservation District – Richard Hoover
- F. Report from the Virginia Department of Transportation (VDOT) – Ed Carter
- G. Reports – Board Members, County Administrator, County Attorney

NEW BUSINESS

- H. Consent Agenda
 - 1. Citizen Appointment to the Social Services Advisory Board – Jon Martz
 - 2. Refund Request, Erroneous Tax Assessment of Jeremiah & Inga Perkins – Sherry Sours
 - 3. Refund Request, Erroneous Tax Assessment of Thomas Breed & Joan Linch – Sherry Sours
 - 4. Additional Appropriation Request of Warren County Public Schools from the Virginia Preschool Initiative (VPI) Program – Dr. Chris Ballenger
 - 5. Additional Appropriation Request of Warren County Public Schools for Replacement of Internal Network Equipment – Dr. Chris Ballenger
 - 6. Addition of Budget Analyst Position, Job Description and Grade Placement – Jane Meadows/Matt Robertson
 - 7. Department of Fire and Rescue Services Pay Structure Modification Request – Jane Meadows/Chief James Bonzano
 - 8. Use of Raymond E. Santmyers Youth Center for the Warren County Public Schools Elements Program for the 2022-2023 School Year – Caitlin Jordan/Dan Lenz
 - 9. Approval of Purchase Order for Wayfinding Signage Installation Services through GEI – Taryn Logan/Alisa Scott
 - 10. Class C Subdivision Bond Release for Blue Ridge Shadows, Phase 2, D.R. Horton, Inc. – Taryn Logan
 - 11. Authorization to Advertise for Public Hearing – Lease of County-Owned Property Located at 229 Stokes Airport Road, Front Royal – Alisa Scott

12. Authorization to Advertise for Public Hearing – Lease of County-Owned Property Located at 136 Hillidge Street, Apartment 2, Front Royal – Alisa Scott
 13. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-07-01, Michelle Moriarty for a Short-Term Tourist Rental – Chase Lenz
 14. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-07-03, Kendra Hansen, Kathryn Stuart, Simon Sarver, and Michael Cherubin for a Short-Term Tourist Rental – Chase Lenz
 15. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-07-04, CAZA Legacy, LLC for a Short-Term Tourist Rental – Matt Wendling
 16. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-07-05, Matthew Williams and Jay Gilbert for a Short-Term Tourist Rental – Chase Lenz
 17. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-07-06, Matthew Williams and Jay Gilbert for a Short-Term Tourist Rental – Chase Lenz
 18. Authorization to Advertise for Public Hearing – Conditional Use Permit 2022-07-07, Thomas Pigeon for a Short-Term Tourist Rental – Matt Wendling
 19. Authorization to Advertise for Public Hearing – Z2022-05-01, Ordinance to Amend Warren County Code Sections 180-8, 180-28, 180-28.1 & 180-43.3 re: Light Industrial (LI) Zoning District and Data Centers – Matt Wendling
- I. Closed Session – Virginia Freedom of Information Act
1. Section 2.2-3711(A)(1) Personnel
 2. Section 2.2-3711(A)(3) Acquisition of Real Property for a Public Purpose
 3. Sections 2.2-3711(A)(7) and (A)(8) Consultation with Legal Counsel Pertaining to Actual or Probable Litigation and for the Provision of Legal Advice
- J. Additional New Business (If needed)
- K. Adjournment

- - -
WORK SESSION

- A. Discussion – Northwestern Community Services Board (NWCSB) Performance Contract and Proposed Concurring Resolution Regarding a Financing by the NWCSB – Katie Heritage
- B. Discussion – Team Rubicon – Bruce Randall/Mike Berry
- C. Discussion – Upcoming Maintenance Projects Including the Warren County Courthouse – Mike Berry/Alisa Scott/Matt Robertson
- D. Discussion – Warren County Sheriff’s Office Vehicle Purchase – Sheriff Mark Butler
- E. Discussion – Funding through the American Rescue Plan Act of 2021 (ARPA) – Matt Robertson
- F. Adjournment

Maintenance:

- Replaced pipes on Route 601 (Pomeroy Road)
- Completed 50% of secondary mowing and will complete 100% this month and begin primary routes
- Graded and applied stone to stabilized roads as needed and will continue this month
- Cleaned up tree and brush debris on various routes and will be addressing brush around signs this month
- Completed Rural Rustic project on Rocky Hollow Road and will be completing box culvert placement on Route 725 (Bowman Hollow Road)
- Will be performing skin patching and asphalt patching on various routes
- Will be conducting ditching operations on Route 340 and repairing shoulders on various other routes throughout the County

Board Concerns:

- In the process of adding the Board's priority roads to the Secondary Six Year Plan for the last two years.
- Trying a new type of reflector for the nose of the concrete median at Route 340/522 and Country Club Road.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| DATE | ITEM | SUBJECT: | PAGE 1 OF 1 |
|---|--|--|----------------------|
| September 6, 2022 | H-1 | Appointment(s) to the Warren County Department of Social Services Advisory Committee | |
| <p><u>EXPLANATION & SUMMARY:</u></p> <p>There is currently one existing vacancy on the Warren County Department of Social Services Advisory Board for the Shenandoah Magisterial District. The Advisory Board is comprised of five members, each a representative of and residing in one of the five County Magisterial Districts. At this time, the Department is requesting Hayden Ashworth be appointed to the Warren County Department of Social Services Advisory Board to represent the Shenandoah Magisterial District.</p> <p><u>COST & FINANCING:</u></p> <p>\$100 per meeting. 6 meetings per year.</p> <p><u>PROPOSED OR SUGGESTED MOTION:</u></p> <p>I move that the Board of Supervisors appoint Hayden Ashworth to fill the unexpired four-year term on the Warren County Department of Social Services Advisory Board representing the Shenandoah Magisterial District beginning upon appointment and ending December 31, 2024.</p> | | | |
| SUBMITTED BY: Jon Martz, Director of Social Services | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | | PROCESSED BY: |

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN
SHERRY T. SOURS
COMMISSIONER OF THE REVENUE
P.O. BOX 1775, FRONT ROYAL, VA 22630-0038
PHONE: 540-635-2651 FAX 540-636-8280
E-MAIL: ssours@warrencountyva.gov

August 8, 2022

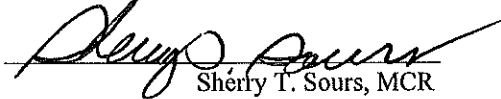
Warren County Board of Supervisors
Front Royal, VA 22630

Dear Chairman Cheryl Cullers:

Assessments for paid real estate taxes for (6 months) 2022, (12 months) 2021, (12 months) 2020 and (4 months) 2019 in the names of Jeremiah & Inga Perkins is erroneous. The Code of Virginia Section 58.1-3219.5 provides real estate tax relief for 100% disabled veterans effective January 1, 2011. Mr. Perkins has been disabled since May 16, 2016, but purchased the property August 16, 2019. He applied for relief on July 13, 2022. The 2nd half of 2022 was abated because of unpaid real estate taxes. Tax map number 37B 2 9 is identification for his property.

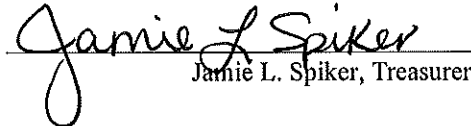
Under Section 58.-3981(A) of the Code of Virginia and Section 160-62 of the Code of Warren County, it will be necessary to have the approval of the Board of Supervisors for a refund in the amount of \$ 6283.30 for August 16, 2019, through June 30, 2022, payable to Jeremiah & Inga Perkins, 243 Forest Ct Bentonville, VA 22610.

In order that the Treasurer may have in her files evidence of authority to make this refund, I would appreciate your acknowledgement of this request on a copy of this letter and forwarding it to him.

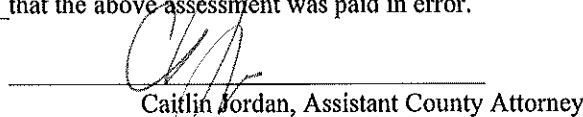

Sherry T. Sours, MCR
Commissioner of the Revenue

STS:jm

I, Jamie L. Spiker, Treasurer of Warren County, certify on this 25th day of August, 2022 that the above taxes were paid.


Jamie L. Spiker, Treasurer

I, Caitlin Jordan, Assistant County Attorney for the County of Warren, do consent on this 30th day of August, 2022 that the above assessment was paid in error.


Caitlin Jordan, Assistant County Attorney

Approved by the Warren County Board of Supervisors on this _____ day of _____, _____.

Dr. Edwin Daley, County Administrator

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN
SHERRY T. SOURS
COMMISSIONER OF THE REVENUE
P.O. BOX 1775, FRONT ROYAL, VA 22630-0038
PHONE: 540-635-2651 FAX 540-636-8280
E-MAIL: ssours@warrencountyva.gov

| Name: Jeremiah & Inga Perkins Address: 243 Forest Ct Bentonville, VA 22610 Map: 37B 2 9 | | |
|---|----------------------------|-------------|
| Year | Date | Amount |
| 2019 | September through December | \$ 730.54 |
| 2020 | January through December | \$ 2,221.11 |
| 2021 | January through December | \$ 2,221.11 |
| 2022 | January through June | \$ 1110.54 |
| Total: 6283.30 | | |

Date: 8/05/22 Payment History Inquiry Time: 09:06:00
 Dept/Bill#: RE2019 / 00160690002 Frq: 002 Pen/Int Dt: 8/05/2022 / 8/05/2022
 Name: STYLE STEVEN A & MARIE LYNN SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: _____ Acct#: 23231 Sup#: 0
 Addr: 243 FOREST CT PAdr: 243 FOREST CT

BENTONVILLE VA Zip: 22610 - 0000 PstDt: _____
 Desc: L 9 BUCK MT ESTS MAP#: 37B 2 9 StsCd _____

MrtgCo: _____
 Acre: 5.60 DsoClaim#: 000000000

Land: \$84,500 Improve: \$259,100 Use: \$0
 Original Bill: \$1,125.29 Payments: \$1,125.29 Discount: \$0.00
 Penalty Paid: \$0.00 Int Paid: \$0.00 Last Date: 12/05/2019
 Amount Owed: \$0.00 Other: \$0.00 Pnk Denotes Dir Deposit#
 Total Owed: \$0.00 Penalty: \$0.00 Interest: \$0.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|----------------------|------|--------|-------|--------------|---------------|------------|
| 9/11/19 5/10/2019 | CHG | | | | \$1,125.29 | \$1,125.29 |
| 12/04/2019 | PAY | JS | 26 | CORELOGIC | \$1,125.29CR | \$0.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

Date: 8/05/22 Payment History Inquiry Time: 09:06:30
 Dept/Bill#: RE2020 / 00126450001 Frq: 001 Pen/Int Dt: 8/05/2022 / 8/05/2022
 Name: PERKINS JEREMIAH & INGA SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: Acct#: 23231 Sup#: 0
 Addr: 243 FOREST CT PAdr: 243 FOREST CT

BENTONVILLE VA Zip: 22610 - 0000 PstDt:
 Desc: L 9 BUCK MT ESTS MAP#: 37B 2 9 StsCd

MrtgCo:
 Acre: 5.60 DsoClaim#: 000000000

Land: \$84,500 Improve: \$259,100 Use: \$0
 Original Bill: \$1,125.29 Payments: \$1,125.29 Discount: \$0.00
 Penalty Paid: \$0.00 Int Paid: \$0.00 Last Date: 6/06/2020
 Amount Owed: \$0.00 Other: \$0.00 Pnk Denotes Dir Deposit#
 Total Owed: \$0.00 Penalty: \$0.00 Interest: \$0.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|-----------|------|--------|-------|--------------|---------------|------------|
| 5/01/2020 | CHG | | | | \$1,125.29 | \$1,125.29 |
| 6/05/2020 | PAY | JS | 58 | CORELOGIC | \$1,125.29CR | \$0.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

Date: 8/05/22 Payment History Inquiry Time: 09:06:37
 Dept/Bill#: RE2020 / 00126450002 Frq: 002 Pen/Int Dt: 8/05/2022 / 8/05/2022
 Name: PERKINS JEREMIAH & INGA SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: Acct#: 23231 Sup#: 0
 Addr: 243 FOREST CT PAdr: 243 FOREST CT

BENTONVILLE VA Zip: 22610 - 0000 PstDt:
 Desc: L 9 BUCK MT ESTS MAP#: 37B 2 9 StsCd

MrtgCo:
 Acre: 5.60 DsoClaim#: 000000000

Land: \$84,500 Improve: \$259,100 Use: \$0
 Original Bill: \$1,125.29 Payments: \$1,125.29 Discount: \$0.00
 Penalty Paid: \$0.00 Int Paid: \$0.00 Last Date: 12/04/2020
 Amount Owed: \$0.00 Other: \$0.00 Pnk Denotes Dir Deposit#
 Total Owed: \$0.00 Penalty: \$0.00 Interest: \$0.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|------------|------|--------|-------|--------------|---------------|------------|
| 9/01/2020 | CHG | | | | \$1,125.29 | \$1,125.29 |
| 12/03/2020 | PAY | JS | 80 | CORELOGIC | \$1,125.29CR | \$0.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

Date: 8/05/22 Payment History Inquiry Time: 09:07:01
 Dept/Bill#: RE2021 / 00125930001 Frq: 001 Pen/Int Dt: 8/05/2022 / 8/05/2022
 Name: PERKINS JEREMIAH & INGA SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: Acct#: 23231 Sup#: 0
 Addr: 243 FOREST CT PAdr: 243 FOREST CT

BENTONVILLE VA Zip: 22610 - 0000 PstDt:
 Desc: L 9 BUCK MT ESTS MAP#: 37B 2 9 StsCd

MrtgCo:
 Acre: 5.60 DsoClaim#: 000000000

Land: \$84,500 Improve: \$259,100 Use: \$0
 Original Bill: \$1,125.29 Payments: \$1,125.29 Discount: \$0.00
 Penalty Paid: \$0.00 Int Paid: \$0.00 Last Date: 8/02/2021
 Amount Owed: \$0.00 Other: \$0.00 Pnk Denotes Dir Deposit#
 Total Owed: \$0.00 Penalty: \$0.00 Interest: \$0.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|-----------|------|--------|-------|--------------|---------------|------------|
| 5/01/2021 | CHG | | | | \$1,125.29 | \$1,125.29 |
| 6/21/2021 | PAY | JS | 112 | CORELOGIC | \$1,125.29CR | \$0.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

Date: 8/05/22 Payment History Inquiry Time: 09:07:06
 Dept/Bill#: RE2021 / 00125930002 Frq: 002 Pen/Int Dt: 8/05/2022 / 8/05/2022
 Name: PERKINS JEREMIAH & INGA SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: _____ Acct#: 23231 Sup#: 0
 Addr: 243 FOREST CT PAdr: 243 FOREST CT

BENTONVILLE VA Zip: 22610 - 0000 PstDt: _____
 Desc: L 9 BUCK MT ESTS MAP#: 37B 2 9 StsCd _____

MrtgCo: _____
 Acre: 5.60 DsoClaim#: 000000000

Land: \$84,500 Improve: \$259,100 Use: \$0
 Original Bill: \$1,125.29 Payments: \$1,125.29 Discount: \$0.00
 Penalty Paid: \$0.00 Int Paid: \$0.00 Last Date: 11/24/2021
 Amount Owed: \$0.00 Other: \$0.00 Pnk Denotes Dir Deposit#
 Total Owed: \$0.00 Penalty: \$0.00 Interest: \$0.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|------------|------|--------|-------|--------------|---------------|------------|
| 9/01/2021 | CHG | | | | \$1,125.29 | \$1,125.29 |
| 11/23/2021 | PAY | JS | 122 | CORELOGIC | \$1,125.29CR | \$0.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

Date: 8/05/22 Payment History Inquiry Time: 09:07:13
 Dept/Bill#: RE2022 / 00125300001 Frq: 001 Pen/Int Dt: 8/05/2022 / 8/05/2022
 Name: PERKINS JEREMIAH & INGA SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: _____ Acct#: 23231 Sup#: 0
 Addr: 243 FOREST CT PAdr: 243 FOREST CT

BENTONVILLE VA Zip: 22610 - 0000 PstDt: _____
 Desc: L 9 BUCK MT ESTS MAP#: 37B 2 9 StsCd _____

MrtgCo: _____
 Acre: 5.60 DsoClaim#: 000000000

Land: \$84,500 Improve: \$259,100 Use: \$0
 Original Bill: \$1,125.29 Payments: \$1,125.29 Discount: \$0.00
 Penalty Paid: \$0.00 Int Paid: \$0.00 Last Date: 6/02/2022
 Amount Owed: \$0.00 Other: \$0.00 Pnk Denotes Dir Deposit#
 Total Owed: \$0.00 Penalty: \$0.00 Interest: \$0.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|-----------|------|--------|-------|--------------|---------------|------------|
| 5/01/2022 | CHG | | | | \$1,125.29 | \$1,125.29 |
| 6/01/2022 | PAY | JS | 145 | CORELOGIC | \$1,125.29CR | \$0.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN
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August 23, 2022

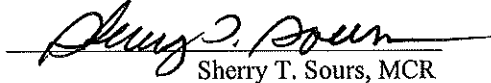
Warren County Board of Supervisors
Front Royal, VA 22630

Dear Chairman Cheryl Cullers:

Assessments for paid real estate taxes for partial year (6 months) 2022, (12 months) 2021, and partial year (3 months) 2020 in the names of Thomas Breed & Joan E. Linch is erroneous. The Code of Virginia Section 58.1-3219.5 provides real estate tax relief for 100% disabled veterans effective January 1, 2011. Mr. Breed has been disabled since October 12, 2020. He applied for relief on June 2, 2022. The 2nd half of 2022 was exonerated because of unpaid real estate taxes. Tax map number 20A9 4 62 is identification for his property.

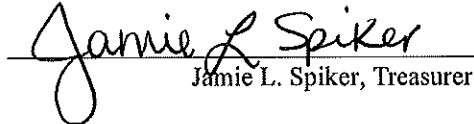
Under Section 58.-3981(A) of the Code of Virginia and Section 160-62 of the Code of Warren County, it will be necessary to have the approval of the Board of Supervisors for a refund in the amount of \$ 3,251.37 for October 1, 2020 through June 30, 2022, payable to Thomas Breed & Joan E. Linch, 1017 Horseshoe Dr Front Royal, VA 22630.

In order that the Treasurer may have in her files evidence of authority to make this refund, I would appreciate your acknowledgement of this request on a copy of this letter, and forwarding it to him.

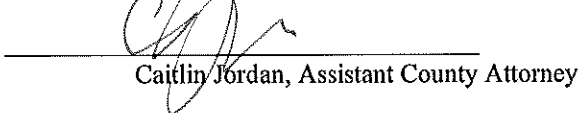

Sherry T. Sours, MCR
Commissioner of the Revenue

STS:jm

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Jamie L. Spiker, Treasurer

I, Caitlin Jordan, Assistant County Attorney for the County of Warren, do consent on this 30th day of August, 2022 that the above assessment was paid in error.


Caitlin Jordan, Assistant County Attorney

Approved by the Warren County Board of Supervisors on this _____ day of _____, _____.

Dr. Edwin Daley, County Administrator

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN
SHERRY T. SOURS
COMMISSIONER OF THE REVENUE
P.O. BOX 1775, FRONT ROYAL, VA 22630-0038
PHONE: 540-635-2651 FAX 540-636-8280
E-MAIL: ssours@warrencountyva.gov

Name: Thomas Breed & Joan E. Linch Address: 1017 Horseshoe Dr Front Royal, VA 22630 Map: 20A9 4 62

| Year | Date | Amount |
|------|--------------------------|-------------|
| 2020 | October through December | \$ 465.00 |
| 2021 | January through December | \$ 1,857.58 |
| 2022 | January through June | \$ 928.79 |

Date: 8/23/22 Payment History Inquiry Time: 08:15:33
 Dept/Bill#: RE2020 / 00189770002 Frq: 002 Pen/Int Dt: 8/23/2022 / 8/23/2022
 Name: BREED THOMAS/LINCH JOAN E SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: Acct#: 13251 Sup#: 00
 Addr: 1017 HORSESHOE DR PAdr: 1017 HORSESHOE DR

FRONT ROYAL VA Zip: 22630 - 0000 PstDt: _____
 Desc: L62 FAIRVIEW HTS MAP#: 20A9 4 62 StsCd: _____

MrtgCo: _____
 Acre: .30 DsoClaim#: 000000000
 Land: \$55,000 Improve: \$228,600 Use: \$0
 Original Bill: \$928.79 Payments: \$928.79 Discount: \$.00
 Penalty Paid: \$.00 Int Paid: \$.00 Last Date: 6/14/2022
 Amount Owed: \$.00 Other: \$.00 Pnk Denotes Dir Deposit#
 Total Owed: \$.00 Penalty: \$.00 Interest: \$.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|------------|------|--------|-------|--------------|---------------|------------|
| 9/01/2020 | CHG | | | | \$928.79 | \$928.79 |
| 12/03/2020 | PAY | JS | 80 | CORELOGIC | \$928.79CR | \$.00 |
| 6/08/2022 | ABA | JRM | 86 | | \$465.00CR | \$465.00CR |
| 6/13/2022 | ABA | LMF | 13341 | | \$465.00 | \$.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

Date: 8/23/22 Payment History Inquiry Time: 08:15:39
 Dept/Bill#: RE2021 / 00189290001 Frq: 001 Pen/Int Dt: 8/23/2022 / 8/23/2022
 Name: BREED THOMAS/LINCH JOAN E SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: Acct#: 13251 Sup#: 00
 Addr: 1017 HORSESHOE DR PAdr: 1017 HORSESHOE DR

Desc: FRONT ROYAL VA Zip: 22630 - 0000 PstDt: _____
 L62 FAIRVIEW HTS MAP#: 20A9 4 62 StsCd: _____

MrtgCo: _____
 Acre: .30 DsoClaim#: 000000000
 Land: \$55,000 Improve: \$228,600 Use: \$0
 Original Bill: \$928.79 Payments: \$928.79 Discount: \$.00
 Penalty Paid: \$.00 Int Paid: \$.00 Last Date: 6/15/2022
 Amount Owed: \$.00 Other: \$.00 Pnk Denotes Dir Deposit#
 Total Owed: \$.00 Penalty: \$.00 Interest: \$.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|-----------|------|--------|-------|--------------|---------------|------------|
| 5/01/2021 | CHG | | | | \$928.79 | \$928.79 |
| 6/21/2021 | PAY | JS | 86 | LERETA | \$928.79CR | \$.00 |
| 6/08/2022 | ABA | JRM | 87 | | \$928.79CR | \$928.79CR |
| 6/13/2022 | ABA | LMF | 13342 | | \$928.70 | \$.09CR |
| 6/14/2022 | ABA | LMF | 13355 | | \$.09 | \$.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

Date: 8/23/22 Payment History Inquiry Time: 08:15:40
 Dept/Bill#: RE2021 / 00189290002 Frq: 002 Pen/Int Dt: 8/23/2022 / 8/23/2022
 Name: BREED THOMAS/LINCH JOAN E SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: Acct#: 13251 Sup#: 00
 Addr: 1017 HORSESHOE DR PAdr: 1017 HORSESHOE DR

FRONT ROYAL VA Zip: 22630 - 0000 PstDt: _____
 Desc: L62 FAIRVIEW HTS MAP#: 20A9 4 62 StsCd: _____

MrtgCo: _____
 Acre: .30 DsoClaim#: 000000000
 Land: \$55,000 Improve: \$228,600 Use: \$0
 Original Bill: \$928.79 Payments: \$928.79 Discount: \$.00
 Penalty Paid: \$.00 Int Paid: \$.00 Last Date: 6/14/2022
 Amount Owed: \$.00 Other: \$.00 Pnk Denotes Dir Deposit#
 Total Owed: \$.00 Penalty: \$.00 Interest: \$.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|------------|------|--------|-------|--------------|---------------|------------|
| 9/01/2021 | CHG | | | | \$928.79 | \$928.79 |
| 12/02/2021 | PAY | JS | 130 | LERETA | \$928.79CR | \$.00 |
| 6/08/2022 | ABA | JRM | 88 | | \$928.79CR | \$928.79CR |
| 6/13/2022 | ABA | LMF | 13343 | | \$928.79 | \$.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason

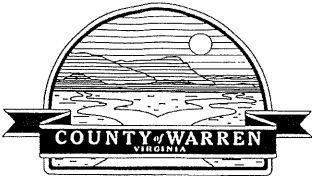
Date: 8/23/22 Payment History Inquiry Time: 08:15:42
 Dept/Bill#: RE2022 / 00189030001 Frq: 001 Pen/Int Dt: 8/23/2022 / 8/23/2022
 Name: BREED THOMAS/LINCH JOAN E SSN 1/2: 000-00-0000 / 000-00-0000
 Nam2: Acct#: 13251 Sup#: 00
 Addr: 1017 HORSESHOE DR PAdr: 1017 HORSESHOE DR

Desc: FRONT ROYAL VA Zip: 22630 - 4217 PstDt: _____
 L62 FAIRVIEW HTS MAP#: 20A9 4 62 StsCd: _____

MrtgCo: _____
 Acre: .30 DsoClaim#: 000000000
 Land: \$55,000 Improve: \$228,600 Use: \$0
 Original Bill: \$928.79 Payments: \$928.79 Discount: \$.00
 Penalty Paid: \$.00 Int Paid: \$.00 Last Date: 6/14/2022
 Amount Owed: \$.00 Other: \$.00 Pnk Denotes Dir Deposit#
 Total Owed: \$.00 Penalty: \$.00 Interest: \$.00

| Date | Type | Drawer | Trans | Check Number | Trans. Amount | Balance |
|-----------|------|--------|-------|--------------|---------------|------------|
| 5/01/2022 | CHG | | | | \$928.79 | \$928.79 |
| 6/06/2022 | PAY | JS | 150 | LERETA | \$928.79CR | \$.00 |
| 6/08/2022 | ABA | JRM | 89 | | \$928.79CR | \$928.79CR |
| 6/13/2022 | ABA | LMF | 13345 | | \$928.79 | \$.00 |

F3=Exit F5=Print F8=Warrant F13=Pd by Reason



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| DATE | ITEM | SUBJECT: | PAGE 1 OF |
|-------------------|------------|---|-----------|
| September 6, 2022 | H-4 | Additional Appropriation Request of Warren County Public Schools from the Virginia Preschool Initiative (VPI) Program | |

EXPLANATION & SUMMARY:

Please find attached correspondence from Dr. Christopher L. Ballenger, Superintendent, requesting \$150,000 of unanticipated funding from the State be appropriated to Budget Fund Category 61000 (Instruction). This additional revenue is due to increased student enrollment in the Virginia Preschool Initiative (VPI) program and, if approved, will allow for the hiring of one (1) additional teacher and three (3) additional classroom assistants.

COST & FINANCING:

No additional local funding is required.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the additional appropriation request of the Warren County School Board for \$150,000 of unanticipated State funding from the Virginia Preschool Initiative (VPI) program to Budget Fund Category 61000 (Instruction).

ALTERNATE MOTION:

I move that the Board of Supervisors postpone this item for further discussion to _____.

| SUBMITTED BY: | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | PROCESSED BY: |
|--|---|---------------|
| Edwin C. Daley, County Administrator | | |



Warren County Public Schools

210 North Commerce Avenue
Front Royal, Virginia 22630-4419
Phone (540) 635-2171
Fax (540) 636-4195
www.wcps.k12.va.us

OFFICE OF THE
SUPERINTENDENT

August 11, 2022

WARREN COUNTY
BOARD OF SUPERVISORS

AUG 11 2022

RECEIVED
WARREN COUNTY
ADMINISTRATOR'S OFFICE

Dr. Edwin C. Daley
County of Warren
220 North Commerce Avenue, Suite 100
Front Royal, VA 22630

Dear Dr. Daley:

At the August 3, 2022, regular meeting of the Warren County School Board, approval was given to request two additional appropriations. The first is the amount of \$150,000 for Budget Category 61000 - Instruction. This request allows the School Board to receive and spend \$150,000 in unanticipated state funding for the Virginia Preschool Initiative (VPI) program. The additional revenue is due to increased student enrollment in the program and if approved, will allow for the hiring of one additional teacher and three additional classroom assistants. The attached School Board agenda item provides a more detailed description of this request.

The second request is to receive and spend \$42,738 in Budget Category 68000 – Technology. This unanticipated E-rate funding will be used to replace internal network equipment. The attached School Board agenda item provides a more detailed description of this request. ***No additional local funding is required for either request.***

I would appreciate your placing this item on the next Board of Supervisors meeting agenda and will be happy to discuss this request with you and your Board then. In the meantime, if you have any questions, please let me know.

Sincerely,

Christopher L. Ballenger
Division Superintendent

Attachments

Warren County Appropriation and Transfer Form

Department: Warren County School Board
 Contact: Christopher Ballenger, Superintendent

Fiscal Year: FY 2023
 Date Submitted: 8/11/2022

Type of adjustment: Transfer Appropriation

Explanation of request (Required):

Due to increased enrollment in the Virginia Preschool Initiative program, an additional \$150,000 in state funding will be received. An additional award of \$42,738 in E-rate funding has been received.

Revenue

| Account Title | Account Code (3-xxx-xxxxxx-xxxx) | Current Budget | Adjustment Amount (+/-) | Revised Budget | Finance Use Only |
|-------------------------------|-------------------------------------|----------------|-------------------------|----------------|------------------|
| Virginia Preschool Initiative | | 564,044 | 150,000 | 714,044 | |
| E-rate Funding | | 45,000 | 42,738 | 87,738 | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| Total Adjustments | | | 192,738 | | |

Expenditure

| Account Title | Account Code (4-xxx-xxxxxx-xxxx) | Current Budget | Adjustment Amount (+/-) | Revised Budget | Finance Use Only |
|--------------------------|-------------------------------------|----------------|-------------------------|----------------|------------------|
| Instruction | 61000 | 49,004,417 | 150,000 | 49,154,417 | |
| Technology | 68000 | 2,146,096 | 42,738 | 2,188,834 | |
| | | | | - | |
| | | | | - | |
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| | | | | - | |
| | | | | - | |
| Total Adjustments | | | 192,738 | | |

APPROVALS

| | |
|------------------------------|------------|
| Department | |
| Signature _____ | Date _____ |
| Finance | |
| Comments: _____ | |
| Signature _____ | Date _____ |
| County Administration | |
| Comments: _____ | |
| Signature _____ | Date _____ |
| Board Approval | |
| Comments: _____ | |
| Submission Packet: _____ | Date _____ |



Agenda Item Details

| | |
|--------------------|---|
| Meeting | Aug 03, 2022 - Regular Meeting |
| Category | 5. Action Agenda |
| Subject | H. VA Pre-School additional slots - Mr. Hirsch |
| Access | Public |
| Type | Action |
| Preferred Date | Aug 03, 2022 |
| Fiscal Impact | Yes |
| Dollar Amount | 150,000.00 |
| Budgeted | No |
| Budget Source | Virginia Preschool Initiative (VPI) |
| Recommended Action | " I move that the Warren County School Board approve one additional VPI teacher and three additional VPI assistants at a cost of \$145,000 and \$5,000.00 non-labor funds for a total of \$150,000.00, covered by an increase in the VPI State allocation. I also move that the superintendent be authorized to request additional appropriations from the Warren County Board of Supervisors." |

Public Content

Explanation and Summary:

Due to an increase in Pre-K enrollment throughout the county, our population has warranted an increase in the allocation from VDOE. Our new allocation is 173 slots which brings our dollar allocation to \$714,044. Our current appropriation for this school year was \$564,044.00. I am asking the school board to approve an additional teacher and three additional assistants at a cost of \$145,000 and a \$5,000.00 increase in non-labor funding for supplies and equipment. This will fully staff our VPI program at current levels and classroom space. In addition, we will need to request additional appropriations to cover the cost of additional VPI slots for Pre-K.

Attachments:

None

Cost and Financing:

None

Proposed or Suggested Motion:

" I move that the Warren County School Board approve one additional VPI teacher and three additional VPI assistants at a cost of \$145,000 and \$5,000.00 non-labor funds for a total of \$150,000.00, covered by an increase in the VPI State allocation. I also move that the superintendent be authorized to request additional appropriations from the Warren County Board of Supervisors."

Administrative Content

Executive Content

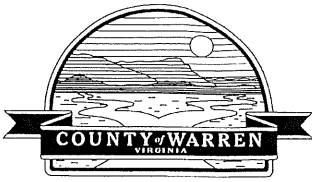
Motion & Voting

" I move that the Warren County School Board approve one additional VPI teacher and three additional VPI assistants at a cost of \$145,000 and \$5,000.00 non-labor funds for a total of \$150,000.00, covered by an increase in the VPI State allocation. I also move that the superintendent be authorized to request additional appropriations from the Warren County Board of Supervisors."

Motion by Andrea M Lo, second by Ralph A Rinaldi.

Final Resolution: Motion Carried

Yea: Antoinette D Funk, Andrea M Lo, Kristen J Pence, Ralph A Rinaldi, Melanie C Salins



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| DATE | ITEM | SUBJECT: | PAGE 1 OF |
|-------------------|------------|--|-----------|
| September 6, 2022 | H-5 | Additional Appropriation Request of Warren County Public Schools for the Replacement of Internal Network Equipment | |

EXPLANATION & SUMMARY:

Please find attached correspondence from Dr. Christopher L. Ballenger, Superintendent, requesting the appropriation of \$42,738 to Budget Fund Category 68000 (Technology) for the replacement of internal network equipment. These monies are available due to unanticipated Schools and Libraries Program (E-rate) funding from the Universal Service Administrative Company (USAC).

COST & FINANCING:

No additional local funding is required.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the additional appropriation request of the Warren County School Board for \$42,738 of unanticipated Schools and Libraries Program (E-rate) funding from the Universal Service Administrative Company (USAC) to Budget Fund Category 68000 (Technology) for the replacement of internal network equipment as proposed.

ALTERNATE MOTION:

I move that the Board of Supervisors postpone this item for further discussion to _____.

| | | |
|--|--|----------------------|
| SUBMITTED BY: Edwin C. Daley, County Administrator | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | PROCESSED BY: |
|--|--|----------------------|



Warren County Public Schools
210 North Commerce Avenue
Front Royal, Virginia 22630-4419
Phone (540) 635-2171
Fax (540) 636-4195
www.wcps.k12.va.us

OFFICE OF THE
SUPERINTENDENT

August 11, 2022

WARREN COUNTY
BOARD OF SUPERVISORS

AUG 11 2022

RECEIVED
WARREN COUNTY
ADMINISTRATOR'S OFFICE

Dr. Edwin C. Daley
County of Warren
220 North Commerce Avenue, Suite 100
Front Royal, VA 22630

Dear Dr. Daley:

At the August 3, 2022, regular meeting of the Warren County School Board, approval was given to request two additional appropriations. The first is the amount of \$150,000 for Budget Category 61000 - Instruction. This request allows the School Board to receive and spend \$150,000 in unanticipated state funding for the Virginia Preschool Initiative (VPI) program. The additional revenue is due to increased student enrollment in the program and if approved, will allow for the hiring of one additional teacher and three additional classroom assistants. The attached School Board agenda item provides a more detailed description of this request.

The second request is to receive and spend \$42,738 in Budget Category 68000 – Technology. This unanticipated E-rate funding will be used to replace internal network equipment. The attached School Board agenda item provides a more detailed description of this request. ***No additional local funding is required for either request.***

I would appreciate your placing this item on the next Board of Supervisors meeting agenda and will be happy to discuss this request with you and your Board then. In the meantime, if you have any questions, please let me know.

Sincerely,

Christopher L. Ballenger
Division Superintendent

Attachments

Warren County Appropriation and Transfer Form

Department: Warren County School Board
 Contact: Christopher Ballenger, Superintendent

Fiscal Year: FY 2023
 Date Submitted: 8/11/2022

Type of adjustment: Transfer Appropriation

Explanation of request (Required):

Due to increased enrollment in the Virginia Preschool Initiative program, an additional \$150,000 in state funding will be received. An additional award of \$42,738 in E-rate funding has been received.

Revenue

| Account Title | Account Code (3-xxx-xxxxxx-xxxx) | Current Budget | Adjustment Amount (+/-) | Revised Budget | Finance Use Only |
|-------------------------------|-------------------------------------|----------------|-------------------------|----------------|------------------|
| Virginia Preschool Initiative | | 564,044 | 150,000 | 714,044 | |
| E-rate Funding | | 45,000 | 42,738 | 87,738 | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| Total Adjustments | | | 192,738 | | |

Expenditure

| Account Title | Account Code (4-xxx-xxxxxx-xxxx) | Current Budget | Adjustment Amount (+/-) | Revised Budget | Finance Use Only |
|--------------------------|-------------------------------------|----------------|-------------------------|----------------|------------------|
| Instruction | 61000 | 49,004,417 | 150,000 | 49,154,417 | |
| Technology | 68000 | 2,146,096 | 42,738 | 2,188,834 | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| | | | | - | |
| Total Adjustments | | | 192,738 | | |

APPROVALS

Department

Signature _____

Date _____

Finance

Comments:

Signature _____

Date _____

County Administration

Comments:

Signature _____

Date _____

Board Approval

Comments:

Submission Packet:

Date _____



Agenda Item Details

| | |
|--------------------|--|
| Meeting | Aug 03, 2022 - Regular Meeting |
| Category | 5. Action Agenda |
| Subject | J. Additional Appropriation of Erate Funding - Mr. Ballentine |
| Access | Public |
| Type | Action |
| Preferred Date | Jul 06, 2022 |
| Absolute Date | Jul 20, 2022 |
| Fiscal Impact | Yes |
| Dollar Amount | 42,737.20 |
| Budgeted | Yes |
| Budget Source | Technology |
| Recommended Action | " I move to give permission to the superintendent to request an appropriation of \$42,737.20 to the WCPS technology department for the purchase of internal network equipment" |

Public Content

Explanation and Summary: Warren County Public Schools has been awarded \$42,737.20 in erate funding to purchase equipment related to internal connections for our school network. We are requesting permission for the superintendent to request an additional appropriation to the technology budget from the Board of Supervisors. The funds will be reimbursed to the county from USAC as soon as the purchasing process and required documentation has been completed.

Attachments:

WARREN COUNTY SCHOOL DISTRICT Funding Commitment Decision Letter (3).pdf

Cost and Financing:

The cost of this request is \$42,737.20 and will be reimbursed to Warren County from the Universal Service Administrative Co. after purchasing and documentation has been completed.

Proposed or Suggested Motion:

" I move to give permission to the superintendent to request an appropriation of \$42,737.20 to the WCPS technology department for the purchase of internal network equipment"

[WARREN COUNTY SCHOOL DISTRICT Funding Commitment Decision Letter \(3\).pdf \(30 KB\)](#)

Administrative Content

Executive Content

Motion & Voting

" I move to give permission to the superintendent to request an appropriation of \$42,737.20 to the WCPS technology department for the purchase of internal network equipment"

Motion by Antoinette D Funk, second by Melanie C Salins.

Final Resolution: Motion Carried

Yea: Antoinette D Funk, Andrea M Lo, Kristen J Pence, Ralph A Rinaldi, Melanie C Salins

Funding Commitment Decision Letter

Funding Year 2022

Contact Information:

Timothy Grant
WARREN COUNTY SCHOOL DISTRICT
210 N COMMERCE AVE
FRONT ROYAL, VA 22630
tgrant@wcps.k12.va.us

FCC Form 471: 221031511

BEN: 126458

Wave: 14

Application Nickname: WCPS - Internal Connections - 2022

Totals

| | |
|------------------------|--------------------|
| Total Committed | \$42,737.20 |
|------------------------|--------------------|

What is in this letter?

Thank you for submitting your application for Funding Year 2022 Schools and Libraries Program (E-rate) funding. Attached to this letter, you will find the funding statuses for the FCC Form(s) 471, Services Ordered and Certification Form, that you submitted and referenced above.

The Universal Service Administrative Company (USAC) is sending this information to both the associated applicant(s) and the service provider(s) so that you can work together to complete the funding process.

Next Steps

1. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying the full cost for the services you receive.
2. Review the [Children's Internet Protection Act \(CIPA\)](#) requirements and file the [FCC Form 486](#) (Service Confirmation and CIPA Certification Form). **The deadline to submit this form is 120 days from the date of this letter or from the service start date (whichever is later).**
3. Invoice USAC



BEN Name: WARREN COUNTY SCHOOL DISTRICT **FCC Form 471:** 221031511

BEN: 126458

Wave: 14

- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
- **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
- **To receive an invoice deadline extension, the applicant or service provider** must request an extension on or before the last date to invoice. **If you anticipate, for any reason, that invoices cannot be filed on time**, USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

Note: The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC**, visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules**, please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System \(ECFS\)](#). Include your contact information, a statement that your filing is a waiver request, identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).



Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake to assure that committed funds are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction of USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



Funding Commitment Decision Overview

Funding Year 2022

Application Comments for FCC Form 471: #221031511

The applicant did not submit any RAL corrections.

Funding Commitment Decision Overview

| Funding Request Number (FRN) | Service Provider Name | Amount Requested | Amount Committed | Status |
|------------------------------|------------------------|------------------|------------------|--------|
| 2299045695 | ePlus Technology, Inc. | \$17,706.92 | \$11,226.46 | Funded |
| 2299045729 | ePlus Technology, Inc. | \$35,888.96 | \$31,510.74 | Funded |



| | | |
|--------------------------|---|-------------------------|
| FRN 2299045695 | Service Type Internal Connections | Status Funded |
|--------------------------|---|-------------------------|

| Dollars Committed | | | |
|----------------------------------|--------|---------------------------------|-------------|
| Monthly Cost | | One-time Cost | |
| Months of Service | 12 | | |
| Total Eligible Recurring Charges | \$0.00 | Total Eligible One Time Charges | \$16,037.80 |
| Total Pre-discount Charges | | \$16,037.80 | |
| Discount Rate | | 70.00% | |
| Committed Amount | | \$11,226.46 | |

| Dates | |
|----------------------------------|-----------|
| Service Start Date | 7/1/2022 |
| Contract Expiration Date | 6/30/2023 |
| Contract Award Date | 3/18/2022 |
| Service Delivery Deadline | 9/30/2023 |
| Expiration Date (All Extensions) | |

| Service Provider and Contract Information | |
|--|------------------------|
| Service Provider | ePlus Technology, Inc. |
| SPIN (498ID) | 143006553 |
| Contract Number | 22775067 |
| Account Number | |
| Establishing FCC Form 470 | 220000042 |

| Consultant Information | |
|-------------------------------|--|
| Consultant Name | |
| Consultant's Employer | |
| CRN | |

Funding Commitment Decision Comments

MR1: The amount of the funding request was changed from \$25,295.60 to \$16,037.80 to \$6780.00;\$9257.80 to remove the ineligible product(s) or service(s): PAN-PA-5220-TP-R



| | | |
|--------------------------|---|-------------------------|
| FRN 2299045729 | Service Type Internal Connections | Status Funded |
|--------------------------|---|-------------------------|

| Dollars Committed | | | |
|----------------------------------|--------|---------------------------------|-------------|
| Monthly Cost | | One-time Cost | |
| Months of Service | 12 | | |
| Total Eligible Recurring Charges | \$0.00 | Total Eligible One Time Charges | \$45,015.34 |
| Total Pre-discount Charges | | \$45,015.34 | |
| Discount Rate | | 70.00% | |
| Committed Amount | | \$31,510.74 | |

| Dates | |
|----------------------------------|-----------|
| Service Start Date | 7/1/2022 |
| Contract Expiration Date | 6/30/2023 |
| Contract Award Date | 3/18/2022 |
| Service Delivery Deadline | 9/30/2023 |
| Expiration Date (All Extensions) | |

| Service Provider and Contract Information | |
|--|------------------------|
| Service Provider | ePlus Technology, Inc. |
| SPIN (498ID) | 143006553 |
| Contract Number | 22746908 |
| Account Number | |
| Establishing FCC Form 470 | 220000042 |

| Consultant Information | |
|-------------------------------|--|
| Consultant Name | |
| Consultant's Employer | |
| CRN | |

Funding Commitment Decision Comments

MR1: The Product Type for FRN Line Item 2299045729.002 was modified from UPS/ Battery Backup to Module to agree with the applicant documentation. <><><><> MR2: The Product Type for FRN Line Item 2299045729.004 was modified from UPS/ Battery Backup to Module to agree with the applicant documentation. <><><><> MR3: The Type of Internal Connection for FRN Line Item 2299045729.002 was modified from Data Protection to Module to agree with the applicant documentation. <><><><> MR4: The Type of Internal Connection for FRN Line Item 2299045729.004 was modified from Data Protection to Module to agree with the applicant documentation.



BEN Name: WARREN COUNTY SCHOOL DISTRICT **FCC Form 471:** 221031511

BEN: 126458

Wave: 14

<><><><><> MR5: The amount of the funding request was changed from \$51,269.94 to \$45,015.34 to remove the ineligible product(s) or service(s): 12.2% of Telephone (Adtran) and internal data servers (Dell).



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | | |
|----------------------------------|-------------------------------|--|-------------|
| DATE September 6, 2022 | ITEM H-6 | SUBJECT Addition of Budget Analyst Position, Job Description and Grade Placement | PAGE 1 OF 1 |
|----------------------------------|-------------------------------|--|-------------|

EXPLANATION & SUMMARY:

Upon review of the Finance department, the addition of the Budget Analyst position is being recommended by the Finance Director. Please see the attached job description for a Budget Analyst. We are recommending this position at the same grade as the Chief Deputy Treasurer on the County's salary scale, Grade 15 (range from \$53,500.07-81,406.70).

This position would encompass the already budgeted Grants/Special Projects Coordinator position (Grade 14) and provide additional support for the Finance Department. If approved, a budget transfer will be proposed at the September 20th Board Meeting to transfer funding associated with the Grants Coordinator position (within County Administration) to Finance to cover the position cost.

PROPOSED OR SUGGESTED MOTION:

(1) I move that the Board of Supervisors adopt the addition of the Budget Analyst (Grade 15) position, job description with grade in the County's compensation plan.

-OR-

(2) I move that the Board of Supervisors not adopt the addition of the Budget Analyst position, job description and grade placement.

-OR-

(3) I move that this matter be postponed until _____ for further discussion.

| | | |
|--|---|----------------------|
| SUBMITTED BY: Jane Meadows, Human Resources Director | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | PROCESSED BY: |
|--|---|----------------------|

BUDGET ANALYST

GENERAL DEFINITION OF WORK:

FLSA Status: Non-Exempt

Performs intermediate professional and administrative work assisting with planning, organizing, and directing the budget and grant activities of the County; does related work as required. Work is performed under supervision of the Director of Finance or Deputy Director of Finance.

ESSENTIAL FUNCTIONS/TYPICAL TASKS:

Coordinates the review and analyses of proposed budgeted revenues and expenditures; assists with the proposed and adopted budget presentation; monitors budget revenue and expenditures; prepares and maintains other related financial reports, records and files, and provides financial grants management.

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

- Coordinates the preparation, monitoring and administration of County budgets by providing research, analysis, and recommendations on funding and staffing levels to ensure the best use of limited resources.
- Builds the annual Budget Book and submits for GFOA review.
- Responds to County/School/Citizen requests for information and assistance with budget materials.
- Supports Board of Supervisors, Committees, and Finance Director by attending relevant budget meetings, preparing analysis to include economic updates, spreadsheets, or other documentations.
- Analyzes all budget requests and makes recommendations on actions to be taken.
- Monitors and reconciles revenue and expenditures to ensure the budget remains balanced and performs various analyses including statistical, account or cost analyses.
- Assists in developing budget related policies and procedures.
- Provides point of contact for departmental staff in budget development, submission, and management.
- Manages all County grant finances to ensure proper accounting, approvals, and controls the financial reporting aspects of all County grants.
- Researches the availability of grant funds for various projects as requested by County departments.
- Prepares resolutions, grant awards, and maintains documentation as required by granting agencies.
- Participates in the development and approval of the Asset Replacement Plan and Capital Improvement Plan, particularly in areas of budget development.
- Provides and collects data for benchmarking studies as directed by County Administration or the Director of Finance.
- Trains administrative departmental staff on budgetary management, daily transactions, and related topics.
- Attends in-service training and classes, seminars, or conferences to improve professional skills.
- Performs related work as assigned.

KNOWLEDGE, SKILLS AND ABILITIES:

Thorough knowledge of the functions and operations of County organizations, particularly regarding financial management. Thorough knowledge of the theories, principles, practices and techniques of municipal accounting, finance, and budgeting; Knowledge of state laws and local ordinances applicable to budget management; general knowledge of research techniques, method, and procedures; ability to analyze and develop budget estimates; ability to conduct detailed research and prepare reports and provide recommendations to decision makers; working knowledge or ability to learn AS400 financial system.

EDUCATION AND EXPERIENCE:

Any combination of education and experience equivalent to graduation from an accredited college or university with major course work in accounting, finance, business administration, public administration, or a related field with experience in budget preparation or analysis.

PHYSICAL REQUIREMENTS:

This is sedentary work requiring the exertion of up to 10 pounds of force occasionally and a negligible amount of force frequently or constantly to move objects; work requires fingering, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for preparing and analyzing written or computer data, operation of machines, and determining the accuracy and thoroughness of work; the worker is not subject to adverse environmental conditions.

SPECIAL REQUIREMENTS:

None.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential tasks.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | | |
|----------------------------------|---------------------------|---|------------------|
| DATE September 6, 2022 | ITEM H-7 | SUBJECT: Fire & Rescue Pay Structure Modification | PAGE 1 OF |
|----------------------------------|---------------------------|---|------------------|

EXPLANATION & SUMMARY:

It is proposed that the FY 2022-2023 pay structure for Fire & Rescue be modified to support pay for certification levels. This would entail a modification of the current pay structure which does not provide additional pay for officer level firefighters to maintain advanced level certifications. The proposal supports the elimination of the Pay Grade 9 for Paramedics and incentivize each pay grade (Firefighter, Lieutenant, Captain) based upon the advanced level EMS certification maintained. An Advanced EMS certification would increase the base salary \$2,600. The Intermediate EMS certification would increase the base salary \$4,000. The Paramedic EMS certification would increase the base salary \$7,250.

The compensation for advanced level certifications would help to maintain staffing levels for advanced level providers and aid in remaining competitive in regards to our surrounding counties. The need for advanced level providers is critical in provide the most effective and efficient EMS support to the residents and visitors of Warren County.

COST & FINANCING: The cost for the pay structure change would be supported by the current fire and rescue budget and supplemented by the Cost Recovery fund for the FY 2022-2023. The department would build the cost into future budgets.

CONSENT AGENDA MOTION:

(1) I move that the Board of Supervisors approve the Fire & Rescue compensation plan as proposed effective September 4, 2022.

-OR-

(2) I move that the Board of Supervisors not approve the Fire & Rescue compensation plan as proposed.

-OR-

(3) I move that this matter be postponed until _____ for further discussion.

| | | |
|--|--|----------------------|
| SUBMITTED BY: Jane Meadows, HR Director James Bonzano, Fire Chief | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | PROCESSED BY: |
|--|--|----------------------|

| Position | Current Pay Grades | |
|--|----------------------|---|
| Firefighter/EMT | 6 | |
| Firefighter/Paramedic | 9 | |
| Lieutenant | 12 | |
| Captain | 15 | |
| | | |
| | | |
| Position w/ Certification | Current | Proposed Pay Structure Fire & Rescue 2022-2023 |
| Firefighter - Basic EMT Certification | Base Salary Grade 6 | Base Salary Grade 6 |
| Firefighter - Advanced EMT Certification | Base Salary Grade 6 | Base Salary Grade 6 + \$2,600 additional to base |
| Firefighter - Intermediate EMT Certification | Base Salary Grade 9 | Base Salary Grade 6 + \$4,000 additional to base |
| Firefighter - Paramedic EMT Certification | Base Salary Grade 9 | Base Salary Grade 6 + \$7,250 additional to base |
| | | |
| Lieutenant - Basic EMT Certification | Base Salary Grade 12 | Base Salary Grade 12 |
| Lieutenant - Advanced EMT Certification | Base Salary Grade 12 | Base Salary Grade 12 + \$2,600 additional to base |
| Lieutenant - Intermediate EMT Certification | Base Salary Grade 12 | Base Salary Grade 12 + \$4,000 additional to base |
| Lieutenant - Paramedic EMT Certification | Base Salary Grade 12 | Base Salary Grade 12 + \$7,250 additional to base |
| | | |
| Captain - Basic EMT Certification | Base Salary Grade 15 | Base Salary Grade 15 |
| Captain - Advanced EMT Certification | Base Salary Grade 15 | Base Salary Grade 15 + \$2,600 additional to base |
| Captain - Intermediate EMT Certification | Base Salary Grade 15 | Base Salary Grade 15 + \$4,000 additional to base |
| Captain - Paramedic EMT Certification | Base Salary Grade 15 | Base Salary Grade 15 + \$7,250 additional to base |

Basic EMT Certification
Advanced EMT Certification
Intermediate EMT Certification
Paramedic EMT Certification

Base Pay for Position
Base Pay + \$2,600 additional
Base Pay + \$4,000 additional
Base Pay + \$7,250 additional

Fire and Rescue Operations
Certification Levels

| Last Name | Certification | Position |
|-------------|---------------|------------------------------|
| Farrall | ALS 1 | Fire and Rescue - Lieutenant |
| Miller | ALS 1 | Fire and Rescue - Lieutenant |
| Cross | ALS 2 | Fire and Rescue - Captain |
| Catlett | ALS 3 | Fire and Rescue - Captain |
| Cole | ALS 3 | Fire and Rescue - Lieutenant |
| Cucciardo | ALS 3 | Fire and Rescue - Lieutenant |
| Smith | ALS 3 | Fire and Rescue - Lieutenant |
| Bailey | ALS 3 | Firefighter/EMT |
| Hunt | ALS 3 | Firefighter/EMT |
| Lewis | ALS 3 | Firefighter/EMT |
| Orebaugh | ALS 3 | Firefighter/Paramedic |
| Unger | ALS 3 | Firefighter/Paramedic |
| Bryson | ALS 3 | Firefighter/Paramedic |
| Embrey | ALS 3 | Firefighter/Paramedic |
| Feldhauser | ALS 3 | Firefighter/Paramedic |
| Ropella | ALS 3 | Firefighter/Paramedic |
| Whitacre | ALS 3 | Firefighter/Paramedic |
| Horne | ALS 3 | Firefighter/Paramedic |
| Wilbanks | ALS 3 | Firefighter/Paramedic |
| Greenbacker | ALS 3 (PT) | Firefighter/EMT |
| Kryssing | ALS 3 (PT) | Firefighter/EMT |
| Meade | ALS 3 (PT) | Firefighter/EMT |
| Wright | ALS 3 (PT) | Firefighter/EMT |
| Medwedeff | ALS 3 (PT) | Firefighter/Paramedic |
| Rollins | BLS | Firefighter/EMT |
| Burrows | BLS | Fire and Rescue - Captain |
| Jock | BLS | Fire and Rescue - Captain |
| Maiatico | BLS | Fire and Rescue - Captain |
| Sirna | BLS | Fire and Rescue - Captain |
| Gaither | BLS | Fire and Rescue - Lieutenant |
| Hitt | BLS | Fire and Rescue - Lieutenant |
| Jones | BLS | Fire and Rescue - Lieutenant |
| Levdahl | BLS | Fire and Rescue - Lieutenant |
| Mawyer | BLS | Fire and Rescue - Lieutenant |
| Oliver | BLS | Fire and Rescue - Lieutenant |
| Ramey | BLS | Fire and Rescue - Lieutenant |
| Richardson | BLS | Fire and Rescue - Lieutenant |
| Baldwin | BLS | Firefighter/EMT |
| Stewart | BLS | Firefighter/EMT |
| Whitfield | BLS | Firefighter/EMT |
| Gottholm | BLS | Firefighter/EMT |
| Hammack | BLS | Firefighter/EMT |
| Lewis | BLS | Firefighter/EMT |
| O'Conner | BLS | Firefighter/EMT |
| Sothen | BLS | Firefighter/EMT |
| Gillespie | BLS (PT) | Firefighter/EMT |

Fire and Rescue Operations
Certification Levels

| Last Name | Certification | Position |
|------------|---------------|-----------------|
| Henschel | BLS (PT) | Firefighter/EMT |
| Price | BLS (PT) | Firefighter/EMT |
| Wines | BLS (PT) | Firefighter/EMT |
| Strickland | BLS (PT) | Firefighter/EMT |
| Williams | BLS (PT) | Firefighter/EMT |
| Hoffman | BLS (PT) | Firefighter/EMT |
| Savoca | BLS (PT) | Firefighter/EMT |
| Wrye | BLS (PT) | Firefighter/EMT |

WCFR ALS Certification Pay – Regional Review

| Locality EMS Level | Page | Winchester | Shenandoah | Warren Current | Warren *Proposed* | Frederick | Fauquier |
|-------------------------|----------|------------|------------|-------------------|----------------------|-----------|----------|
| Basic | \$40,000 | \$42,332 | \$44,069 | \$45,700 | \$45,700 | \$47,355 | \$53,550 |
| Advanced (ALS 1) | --- | --- | \$48,569 | \$45,700 | \$48,300 | \$51,855 | \$59,550 |
| Intermediate (ALS 2) | --- | --- | \$50,569 | \$45,700 | \$49,700 | \$53,855 | \$61,550 |
| Paramedic (ALS 3) | \$54,000 | \$55,061 | \$51,569 | \$52,901 | \$52,950 | \$54,855 | \$65,550 |

Information as provided by respective locality

*Warren, Frederick, Page based on 53-hour work week

*Clarke, Winchester, Shenandoah, Fauquier Based on 48-hour work week



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| DATE | ITEM | SUBJECT | PAGE |
|-------------------|------------|--|----------------|
| September 6, 2022 | H-8 | Warren County School Board Use of the Raymond E. Santmyers Youth Center for the Elements Program for the School Year 2022-2023 | PAGE 1 OF 1 |

EXPLANATION & SUMMARY:

The Warren County School Board (“WCSB”) operates the Warren County Public Schools Elements Program (hereinafter referred to as “Elements Program”), which is a post-graduate transition program for special education students and is designed to bridge the gap between high school and adulthood. The WCSB desires to host in-person instruction at the Raymond E. Santmyers Youth Center in the Parkside Office Suite for the Elements Program for an additional academic year. The start and end dates of the term as well as days of operation have been updated and both the Parks and Recreation Director and the School Board Superintendent have reviewed and approved the attached lease.

The Elements Program will operate in full compliance with all public health directives in effect during the term of the lease, including but not limited to state laws, rules, regulations, and applicable Governor’s Executive Orders as well as federal laws and regulations such as those from the CDC and OSHA.

COST AND FINANCING:

The County will continue to be solely responsible for the utilities for the Youth Center.

CONSENT AGENDA MOTION:

- 1) I move that the Board of Supervisors approve and authorize the County Administrator to execute the lease of the Raymond E. Santmyers Youth Center facility for use by the Warren County School Board Elements Program for the term of August 1, 2022 to June 2, 2023.

ALTERNATIVE MOTIONS:

- 1) I move that the Board of Supervisors not approve and authorize the County Administrator to execute the lease of the Raymond E. Santmyers Youth Center facility for use by the Warren County School Board Elements Program for the term of August 1, 2022 to June 2, 2023.

-OR-

- 2) I move this item be postponed until _____.

| | | |
|---|---|-----------------------------|
| <p>SUBMITTED BY: Dan Lenz, Parks and Recreation Director and Caitlin W. Jordan, Senior Assistant County Attorney</p> | <p>DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)</p> | <p>PROCESSED BY:</p> |
|---|---|-----------------------------|

**LEASE AGREEMENT
WARREN COUNTY SCHOOL BOARD USE OF THE
RAYMOND E. SANTMYERS YOUTH CENTER FOR THE ELEMENTS PROGRAM
SCHOOL YEAR 2022-2023**

THIS AGREEMENT is made and entered into this _____ day of _____ 2022 by and between the **COUNTY OF WARREN, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, whose address is 220 North Commerce Avenue, Front Royal, Virginia 22630 (hereinafter referred to as the "County"), and the **WARREN COUNTY SCHOOL BOARD**, a political subdivision of the Commonwealth of Virginia (hereinafter referred to as the "WCSB").

WITNESSETH:

WHEREAS, the County is the sole owner of the property known as the Raymond E. Santmyers Youth Center located at 200 East 8th Street in Front Royal, Virginia (hereinafter referred to as the "Property"); and

WHEREAS, the WCSB requests the use of certain facilities at the Property to include the Parkside Offices (hereinafter collectively referred to as the "Facilities"); and

WHEREAS, the WCSB operates the Warren County Public Schools Elements Program (hereinafter referred to as "Elements Program"), which is a post-graduate transition program for special education students, designed to bridge the gap between high school and adulthood; and

WHEREAS, the County and the WCSB are desirous of entering into a specific written agreement concerning the WCSB use of the Facilities for Elements during the 2022-2023 school year; and

THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. Term of Lease. The County hereby agrees to lease the Facilities beginning **August 1, 2022** and continuing through **June 2, 2023** (if not otherwise terminated or extended pursuant to the

terms of the Agreement). During the term of this lease, the WCSB shall use the Facilities Monday through Friday from 8:30am to 4:00pm for the Elements Program.

2. Utilities. The County shall be responsible for all utility expenses.

3. Insurance. The WCSB shall maintain in force at all times during the term of the lease property, legal, and liability insurance in the amount not less than One Million Dollars (\$1,000,000.00), and shall name the County as an additional insured party under said policy. Said policy shall be in addition to any and all insurance carried by the County on the Facilities.

The WCSB shall provide the County with a certificate showing said insurance to be in force and effect prior to the use or occupancy of the Facilities, with a notation in the certificate and policy that the insurance cannot be cancelled unless the County is given thirty (30) days written notice of said cancellation.

In addition, the WCSB will and must carry adequate worker's compensation insurance in accordance with Commonwealth of Virginia statutory requirements.

4. Hold Harmless. The WCSB hereby agrees to indemnify, defend, and, to the degree permissible by law, hold harmless the County, its employees, agents, and representatives from any suits, claims, actions, demands, costs and expenses of any kind, including attorneys and professional fees, relating in any way to any claimed injuries or damages sustained by any person(s), or to any property, which is in any way connected with the WCSB use of or activities that are in any way connected with the Facilities at the Property.

5. On-Site Visitation. It is agreed that two (2) on-site visits will be conducted by, but not limited to the following: Director of Parks and Recreation, Office Manager and Park Supervisor, as representatives for the County; and a representative for the WCSB.

One visit will be conducted prior to the beginning of term of lease and one visit within fourteen (14) days of the conclusion of the term of lease. The purpose of such visits is to observe the conditions of the Facilities at the time of transfer of maintained responsibilities from the

County to the WCSB at the beginning of the term of lease, and from the WCSB back to the County after the conclusion of the term of lease.

6. Cancellation. The County shall notify the WCSB when the Facilities are not available due to inclement weather or unsafe conditions.

7. Maintenance. The WCSB shall be responsible for keeping the Facilities clean, free from refuse and debris, and in good condition. The WCSB shall notify the County's Director of Parks and Recreation immediately upon discovering any health or safety hazards, or upon discovering required maintenance of the Facilities. The WCSB shall be solely responsible for any loss, damage, or repair of the Facilities that occur during the WCSB use of the Facilities, excluding anything considered ordinary wear and tear, and WCSB shall reimburse the County for said loss, damage, or repair.

8. Improvements. No improvements to the Facilities shall be made by the WCSB without the expressed written consent of the County. Any and all approved improvements shall then become the sole and exclusive property of the County, and may not be removed by the WCSB.

9. Equipment. The WCSB may bring and keep equipment (e.g. desks, filing cabinets, computers, etc.) at the Facilities during the term of lease. The WCSB shall be solely responsible for any loss, damages, or repairs to said equipment. The WCSB shall remove all equipment from the Facilities at the end of the term of lease.

The parties acknowledge and agree that the County shall continue to have sole use of the storage room within the Facilities and that County staff shall have access to the storage room.

10. COVID-19 Requirements. The WCSB shall be solely responsible for ensuring compliance with all public health directives in effect during the term of lease, including but not limited to state laws, rules, regulations, and applicable Governor's Executive Orders as well as federal laws and regulations such as those from the CDC and OSHA.

Additionally, the WCSB shall disinfect the Property's restrooms and classroom one time per day while the Facilities are being used by the WCSB as set forth more fully in paragraph 1 herein.

11. Adult Supervision. The WCSB shall at all times provide on-site adult supervision for all the Facilities.

12. Keys to the Facilities. **The WCSB specifically agrees that two (2) keys to the Facilities shall be retained exclusively by the personnel authorized by the WCSB. Such keys shall not be distributed to other persons for any reason. Such keys shall not be duplicated without the permission of the County, and any approved copies shall become the property of the County. The two (2) keys assigned to the WCSB are to be returned to the Parks and Recreation office immediately after removing equipment and cleaning the Facilities, but no later than June 9, 2023. The authorized personnel must complete a key registration form and abide by policies set forth by the County.**

13. Assignment. The WCSB shall not sell, sublease, convey, or otherwise transfer by any method its rights under this agreement without first obtaining the express written consent of the County.

14. Alcoholic Beverages. No alcoholic beverages are allowed at the Facilities.

15. Tobacco Products. No tobacco products of any kind may be used at the Facilities.

16. Illegal Activity. The WCSB hereby specifically agrees that they will use the Facilities only for lawful purposes, and will not permit, countenance, or condone any illegal activity in the course of its use or operations.

17. Regulations and Licenses. The WCSB shall comply with all federal and state laws and regulations and all applicable County ordinances, and shall obtain any and all required licenses and permits.

18. Termination. Either party shall have the right to terminate this Agreement upon thirty (30) days written notice for any reason. The County further reserves the right to immediately terminate this Agreement without notice in the event of damage or destruction of the Facilities, civil unrest, or for any other reason related to immediate danger to the health and safety of the public. In the event of termination, the flat fee will be refunded by the County or due from the WCSB pro rata to the balance of the Agreement term period. In the event of termination, the WCSB and the County do hereby waive any claims for damages resulting from the termination.

19. Default. In the event of default on any of the terms and conditions set forth herein, or violation of the laws of the Commonwealth of Virginia or the Ordinances of the Town of Front Royal or the County of Warren by the WCSB or its employees, agents, or students associated with the use of the Facilities, the County reserves the right to terminate this Agreement at any time upon twenty-four (24) hours written notice to the WCSB. Upon default, the County shall be authorized to immediately take possession of the Facilities and to bar the WCSB from further operations. In addition, upon default, the County shall have the right to exercise any and all of its remedies at law, including suit for damages and any unpaid fees. All legal expenses and costs incurred thereby shall be paid by the WCSB.

20. Discrimination. The parties each agree that in its conduct of programs in or upon the Facilities, that at no time shall it discriminate against any person on the grounds of race, religious affiliation, color, sex, national origin, disability, or age.

21. Interpretation. Interpretation of the provisions of this Agreement shall be in accordance with the laws of the Commonwealth of Virginia.

22. Modification. Modification of the terms and conditions of this Agreement shall not be permitted, unless agreed to in writing and executed by both parties in the same formality as this Agreement.

23. Entire Agreement. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter of this Agreement and supersedes all prior or contemporaneous agreements and understandings of the parties in connection with the subject matter.

24. Successors in Interest. The conditions in this Agreement shall be binding upon the heirs, executors, administrators, assigns and successors in interest of both parties to this Agreement.

25. Notices. All notices under this Agreement shall be sent in writing to the following addresses:

County of Warren
c/o County Administrator
220 North Commerce Avenue
Front Royal, VA 22630

Warren County School Superintendent
210 North Commerce Avenue
Front Royal, VA 22630

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the undersigned parties hereto have made and executed this
Lease as the day and year first above written.

COUNTY OF WARREN, VIRGINIA (SEAL)

BY: _____
Ed Daley, County Administrator **Date** _____

ATTEST:

BY: _____
Date _____

WARREN COUNTY PUBLIC SCHOOLS (SEAL)

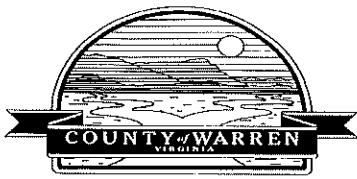
BY: _____
Christopher Ballenger, Superintendent **Date** _____

ATTEST:

BY: _____
Date _____

APPROVED AS TO FORM:

Caitlin W. Jordan, Senior Assistant County Attorney



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | | |
|-------------------------|------------------------|---|-----------------------|
| DATE 9/6/2022 | ITEM H-9 | SUBJECT: Approval of Purchase Order Installation of Wayfinding Signs by General Excavation, Inc. | PAGE 1 of 1 |
|-------------------------|------------------------|---|-----------------------|

EXPLANATION & SUMMARY:

The County and Town contracted with Frazier Associates in 2019 to plan and design a coordinated wayfinding sign system to direct travelers to major visitor destinations (as well as other destinations) in Front Royal and Warren County. The wayfinding sign system includes gateway and vehicular trailblazer sign designs. At this time, the wayfinding signage plans have been approved by VDOT and the County is ready to install our trailblazing vehicular signs. The County had a more complex approval process since we must follow all VDOT requirements and have our plans approved by the Traffic Engineering Division in Richmond, as well as our local VDOT residency in Edinburg. At this time, the plans are approved, and the County has an estimate for installation of the signs provided by General Excavation, Inc (GEI). The County has GEI on a firm fixed contract through June 30, 2023.

The scope of work includes installing 17 two-post signs and 1 single-post sign in various approved locations per the Wayfinding Sign System plan dated March 28, 2022. The work activities of GEI include: removing existing signs and clearing obstructive vegetation where necessary; excavating for sign foundations using either hand work or mechanized equipment (estimate assumes using mechanized equipment for each location due to unknown subsurface conditions); placing rebar cages and pouring concrete foundations; assembling signs/sign posts and transporting to each location; and installing signs and restoring existing conditions (rake, seed, mulch, etc). These items include the necessary traffic controls the signs are located on highways.

As you know, effective July 1, 2017, the County began collecting an additional 3% transient occupancy tax which is to be spent for tourism purposes. This was the first major project planned and funded with this money and approved by the Joint Tourism Advisory Committee.

COST & FINANCING

The total amount for installation services will be \$76,688.00. The money is available in the County's tourism budget under the wayfinding signage line item. Funding for this project has been anticipated and planned for over the past three years.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the purchase order for the Wayfinding Installation Project to General Excavation, Inc. not to exceed a cost of \$76,688.00.

| | | |
|--|---|----------------------|
| SUBMITTED BY: Taryn Logan and Alisa Scott TBL | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (Describe) | PROCESSED BY: |
|--|---|----------------------|

PO # 6704

GENERAL EXCAVATION, INC.

9757 RIDER RD. WARRENTON, VA 20187
TEL (540) 439-2202
FAX (540) 439-3795

County of Warren
Attn: Michael Coffelt
220 North Commerce Avenue
Front Royal, VA 22630

DATE: 7/8/2022
ESTIMATE
Contract #: GEI 2020

Project: Wayfinding Sign System

| | Equipment Description | Hours | Rate | TOTAL |
|----|---------------------------------------|-------|----------|--------------------|
| 1 | Backhoe, Rubber tire | | \$76.00 | \$0.00 |
| 2 | Grader, Min 24,000 lbs | | \$125.00 | \$0.00 |
| 3 | Excavator, track Min 50,000 lbs | | \$125.00 | \$0.00 |
| 4 | Excavator, track Min 35,000 lbs | 126.0 | \$108.00 | \$13,608.00 |
| 5 | Loader, track Min 110 HP | | \$97.00 | \$0.00 |
| 6 | Dozer, Min 90 HP | | \$103.00 | \$0.00 |
| 7 | Backhoe W/ hyd Breaker <1200 lbs | | \$87.00 | \$0.00 |
| 8 | Excavator W/ hyd Breaker >1200 lbs | | \$190.00 | \$0.00 |
| 9 | Steel Wheel roller, 6 ton | | \$65.00 | \$0.00 |
| 10 | Trench roller (Rammax) | | \$43.00 | \$0.00 |
| 11 | Vibratory Rammer (Wacker) | | \$49.00 | \$0.00 |
| 12 | Loader, Rubber Tire 105 HP | | \$108.00 | \$0.00 |
| 13 | Air Compressor 365 CFM w/ jack hammer | | \$70.00 | \$0.00 |
| 14 | Pavement/ Concrete saw | | \$43.00 | \$0.00 |
| 15 | Skid Steer Loader | 90.0 | \$65.00 | \$5,850.00 |
| 16 | Single Axle Dumptruck | 82.0 | \$70.00 | \$5,740.00 |
| 17 | Tandem Axle Dumptruck | 8.0 | \$81.00 | \$648.00 |
| 18 | Tandem Axle Dump (rock bed) | | \$87.00 | \$0.00 |
| 19 | Tractor/lowboy trailer | | \$135.00 | \$0.00 |
| 20 | Water truck, 1000 gal | | \$65.00 | \$0.00 |
| 21 | Water pump 4" | | \$54.00 | \$0.00 |
| 22 | Certified Flagger | 366.0 | \$37.00 | \$13,542.00 |
| 23 | Laborer | 366.0 | \$37.00 | \$13,542.00 |
| 24 | Chain saw w/ operator | 8.0 | \$49.00 | \$392.00 |
| 25 | Brush Chipper | | NO BID | |
| 26 | Tractor w/ boom mower | | NO BID | |
| 27 | Tractor w/ sickle mower | | NO BID | |
| 28 | Trimmer/ Brush cutter (weed eater) | | NO BID | |
| 29 | Regular mobilization | | \$433.00 | \$0.00 |
| 30 | Emergency mobilization | | \$542.00 | \$0.00 |
| | Additional equipment (Rollback) | 36.0 | \$104.00 | \$3,744.00 |
| 31 | Foreman W/ Truck | 242.0 | \$81.00 | \$19,602.00 |
| 32 | Horizontal Grinder | | \$379.00 | \$0.00 |
| 33 | Vacume Truck w/ 2 operators | | \$334.00 | \$0.00 |
| 34 | Survey Crew | | \$162.00 | \$0.00 |
| | Total | | | \$76,668.00 |

Scope of Work: Install (17) two-post signs and (1) single-post sign in various locations per the Wayfinding Sign System Plan provided by Warren County dated February 21, 2020. All materials to be furnished by Warren County. Work activities include: 1. Remove existing signs and clear obstructive vegetation where necessary 2. Excavate for sign foundations using either hand work or mechanized equipment (estimate assumes using mechanized equipment for each location due to unknown subsurface conditions) 3. Place rebar cages and pour concrete foundations as shown in plan 4. Assemble signs/sign posts and transport to each location 5. Install signs and restore existing conditions (rake, seed, mulch, etc.). All items include any necessary traffic control.

GEI Representative Signature: _____

Date: _____

Warren County Representative Signature:  _____

Date: 7.27.22

Attorney

AMENDMENT #3
TO THE AGREEMENT BETWEEN
THE COUNTY OF WARREN, VIRGINIA
AND GENERAL EXCAVATION, INC.
FOR CONTRACT SERVICES

THIS AMENDMENT (hereinafter the "Amendment") dated this 14 day of June, 2022, by and between the County of Warren, Virginia, a political subdivision of the Commonwealth of Virginia, whose address is 220 North Commerce Avenue, Suite 100, Front Royal, Virginia 22630 (hereinafter the "Owner"), and GENERAL EXCAVATION, INC., whose mailing address is 9757 Rider Road, Warrenton, Virginia 20187, and whose employers ID number is 54-1223927 (hereinafter called the "Service Provider").

WITNESSETH:

WHEREAS, the Owner and the Service Provider executed an agreement for roadway maintenance, repair, construction, and drainage improvement work on the roads in various Sanitary Districts within the County, and other County-owned property in Warren County, Virginia on June 22, 2020 (hereinafter the "Agreement"); and

WHEREAS, the Agreement was in effect for a term from July 1, 2020 through June 30, 2021; and

WHEREAS, the Agreement has been extended for one (1) additional one (1) year term from July 1, 2021, through June 30, 2022; and

WHEREAS, the Agreement has been modified to include a rate increase for the Vacuum Truck w/ Operator to \$334.00 per hour; and

WHEREAS, the Owner desires to extend the Agreement for one (1) additional term.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, the parties hereto mutually covenant and agree as follows:

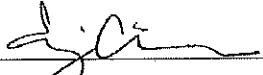
- (1) Contract Term - The Amendment is in effect unless terminated in accordance with the terms of the Agreement from July 1, 2022, through June 30, 2023 (hereinafter the "Contract Term").
- (2) Renewal - The Contract will not be renewable for any additional one (1) year terms at the expiration of this Amendment.
- (3) Rates - The rates for the Contract Term are attached hereto as "Exhibit A".
- (4) Other Terms of the Agreement - All other terms and conditions of the Agreement shall remain in full force and effect.

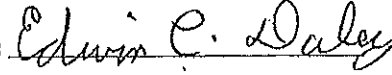
Attorney

IN WITNESS WHEREOF, the parties hereafter have made and executed this
Amendment to the Agreement the day and year first written above.

(SEAL)

County of Warren, Virginia

Attest: 

By: 

Type Name: Emily Ciarracchi

Type Name: Edwin C. Daley

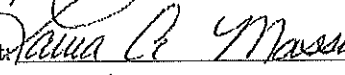
Title: Deputy Clerk

Title: County Administrator

Date: 6/16/2022

(SEAL)

General Excavation, Inc.

Attest: 

By: 

Type Name: Laura A. Massie

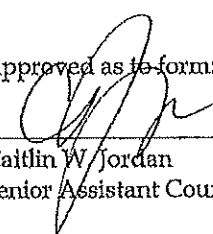
Type Name: Karen Jenkins

Title: Secretary

Title: Secretary

Date: 6/14/22

Approved as to form:


Caitlin W. Jordan
Senior Assistant County Attorney

GENERAL EXCAVATION, INC.

9757 RIDER ROAD
WARRENTON, VA 20187
T 540.439.2202 | F 540.439.3795

J 485 – Warren County Heavy Equipment Rental Services

May 27, 2022

County of Warren
126 E. 2nd Street
Front Royal, VA 22630

Attn: Mr. Michael Coffelt

Re: Warren County Heavy Equipment Rental Services

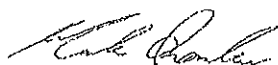
Subject: Amendment #3 – Unit Rate Increases

Mr. Coffelt,

General Excavation, Inc. would like to request a unit rate increase of 8.3% for line items under the Heavy Equipment Rental Services Contract. This increase is in response to recent increases in labor rates, fuel costs, equipment parts, and other operating expenses. The latest Consumer Price Index News Release from the U.S. Department of Labor Statistics was used as a metric to determine current inflation rates and is attached for reference.

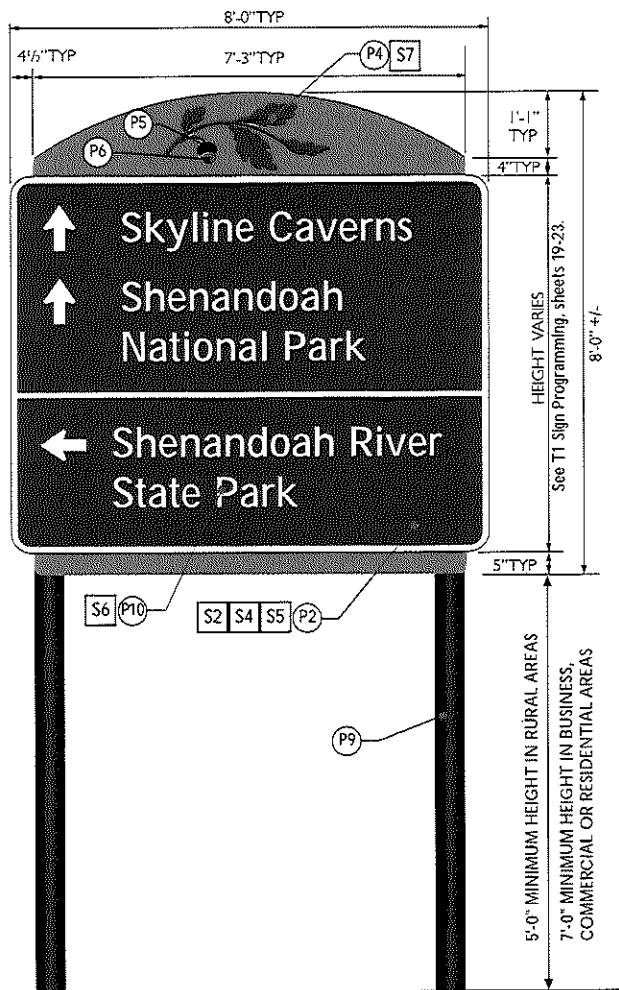
A breakdown of the requested unit rate revisions is attached to this letter. These rates are rounded to the nearest dollar for accounting/billing purposes. If any additional information is required, please advise.

Sincerely,

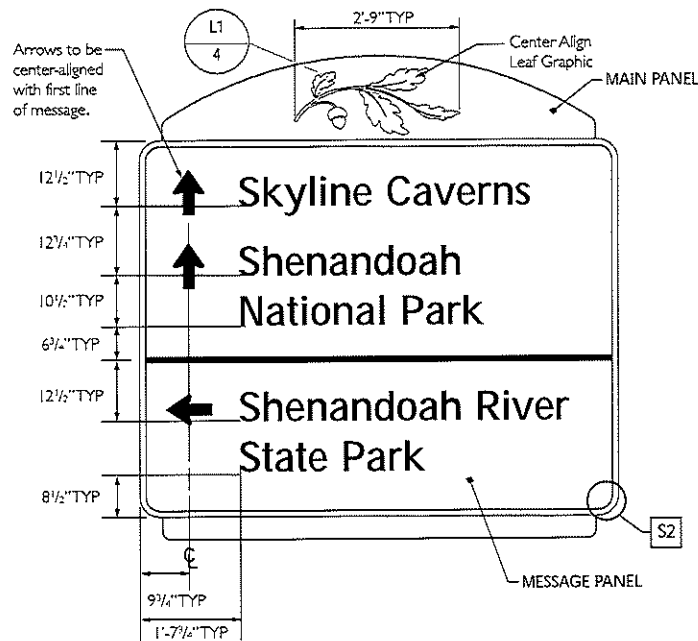


Mark Rowles
Project Manager
General Excavation, Inc.

| Item # | Description | Unit Rate | CPI Increase (8.3%) | Total | Adjusted Rates |
|----------------------|---------------------------------------|-----------|------------------------------------|----------|----------------|
| 1 | Backhoe, Rubber tire | \$70.00 | \$5.81 | \$75.81 | \$76.00 |
| 2 | Grader, Min 24,000 lbs | \$115.00 | \$9.55 | \$124.55 | \$125.00 |
| 3 | Excavator, track Min 50,000 lbs | \$115.00 | \$9.55 | \$124.55 | \$125.00 |
| 4 | Excavator, track Min 35,000 lbs | \$100.00 | \$8.30 | \$108.30 | \$108.00 |
| 5 | Loader, track Min 110 HP | \$90.00 | \$7.47 | \$97.47 | \$97.00 |
| 6 | Dozer, Min 90 HP | \$95.00 | \$7.89 | \$102.89 | \$103.00 |
| 7 | Backhoe W/ hyd Breaker <1200 lbs | \$80.00 | \$6.64 | \$86.64 | \$87.00 |
| 8 | Excavator W/ hyd Breaker >1200 lbs | \$175.00 | \$14.53 | \$189.53 | \$190.00 |
| 9 | Steel Wheel roller, 6 ton | \$60.00 | \$4.98 | \$64.98 | \$65.00 |
| 10 | Trench roller (Rammax) | \$40.00 | \$3.32 | \$43.32 | \$43.00 |
| 11 | Vibratory Rammer (Wacker) | \$45.00 | \$3.74 | \$48.74 | \$49.00 |
| 12 | Loader, Rubber Tire 105 HP | \$100.00 | \$8.30 | \$108.30 | \$108.00 |
| 13 | Air Compressor 365 CFM w/ Jack hammer | \$65.00 | \$5.40 | \$70.40 | \$70.00 |
| 14 | Pavement/ Concrete saw | \$40.00 | \$3.32 | \$43.32 | \$43.00 |
| 15 | Skid Steer Loader | \$60.00 | \$4.98 | \$64.98 | \$65.00 |
| 16 | Single Axle Dumptruck | \$65.00 | \$5.40 | \$70.40 | \$70.00 |
| 17 | Tandem Axle Dumptruck | \$75.00 | \$6.23 | \$81.23 | \$81.00 |
| 18 | Tandem Axle Dump (rock bed) | \$80.00 | \$6.64 | \$86.64 | \$87.00 |
| 19 | Tractor/lowboy trailer | \$125.00 | \$10.38 | \$135.38 | \$135.00 |
| 20 | Water truck, 1000 gal | \$60.00 | \$4.98 | \$64.98 | \$65.00 |
| 21 | Water pump 4" | \$50.00 | \$4.15 | \$54.15 | \$54.00 |
| 22 | Certified Flagger | \$34.00 | \$2.82 | \$36.82 | \$37.00 |
| 23 | Laborer | \$34.00 | \$2.82 | \$36.82 | \$37.00 |
| 24 | Chain saw w/ operator | \$45.00 | \$3.74 | \$48.74 | \$49.00 |
| 25 | Brush Chopper | | NO BID | | |
| 26 | Tractor w/ boom mower | | NO BID | | |
| 27 | Tractor w/ sickle mower | | NO BID | | |
| 28 | Trimmer/ Brush cutter (weed eater) | | NO BID | | |
| 29 | Regular mobilization | \$400.00 | \$33.20 | \$433.20 | \$433.00 |
| 30 | Emergency mobilization | \$500.00 | \$41.50 | \$541.50 | \$542.00 |
| Additional Equipment | | | | | |
| 31 | Foreman W/ Truck | \$75.00 | \$6.23 | \$81.23 | \$81.00 |
| 32 | Horizontal Grinder | \$350.00 | \$29.05 | \$379.05 | \$379.00 |
| 33 | Vacume Truck w/ Operator | | See Modification Request - 4/14/22 | | \$334.00 |
| 34 | Survey Crew | \$150.00 | \$12.45 | \$162.45 | \$162.00 |



T1 VEHICULAR TRAILBLAZER SIGN
Scale: 1/2" = 1'-0"



T1.2 VEHICULAR TRAILBLAZER PANEL DETAILS
Scale: 1/2" = 1'-0"

NOTES:

T1: VEHICULAR TRAILBLAZER SIGN:

- S1** MAIN PANEL FABRICATION: .25" thick, decorative cut aluminum panel. Panel to be attached to the mounting sleeve.
- S2** MESSAGE PANEL FABRICATION: .25" thick, cut aluminum panel. Panel to be attached to the main panel. Sign panel radii to be 4".
- S3** PAINT COLORS: All exposed surfaces shall be primed and painted using Matthews Paint-Satin, or an approved equal and color matched to color specified.
- S4** MESSAGE PANEL SIGN FACE: Shall use digital printing process by certified 3M printer/sign fabricator to 3M Diamond Grade (DG3) #4090 reflective sheeting, electronically cut sheeting and apply to unpainted aluminum surface following 3M manuf. specifications and overlay with 1170C. Process colors shall match Matthew Paint colors specified.
- S5** SIGN MESSAGE BORDER AND ARROWS: Shall use a 1" wide border and the directional arrows shall be 6" height x 9" length. Message separator line to be 1" wide.
- S6** FONT: Messages shall use FHWA Series D2000EX, with 6" caps.
- S7** LEAF GRAPHICS: To be provided as a scalable digital files and painted using Matthews Paint-Satin, or an approved equal and color to match color specified. Leaves to have dark grey (90% black) drop shadow to create 3D effect.



FRAZIER ASSOCIATES
ARCHITECTURE-COMMUNITY DESIGN-WAYFINDING
713 NORTH AUGUSTA STREET, FARMINGTON, VA 24024
PHONE: 540.985.4228 FAX: 540.985.8629
www.FrazierAssociates.com

WARREN COUNTY &
FRONT ROYAL, VA
WAYFINDING SIGN SYSTEM
MASTER PLAN

Warren County, Virginia
COLOR PALETTE

- P1** Pantone 370 C
 - P2** Pantone 294 C
 - P3** Pantone 468 C
 - P4** Pantone 7483 C
 - P5** Pantone 476 C
 - P6** Pantone 730 C
 - P7** C-40; M-85; Y-98; K-29
 - P8** Cor-Ten Steel
 - P9** Black
 - P10** 3M Diamond Grade Reflective Sheeting #4090
- SPECIFICATIONS KEY**

- Pa** Color Identification
- S#** Sign Panel Specifications
- M#** Sign Mounting Specifications

REVISION DATE

PROJECT NO. 2017-0105

SCALE: AS SHOWN

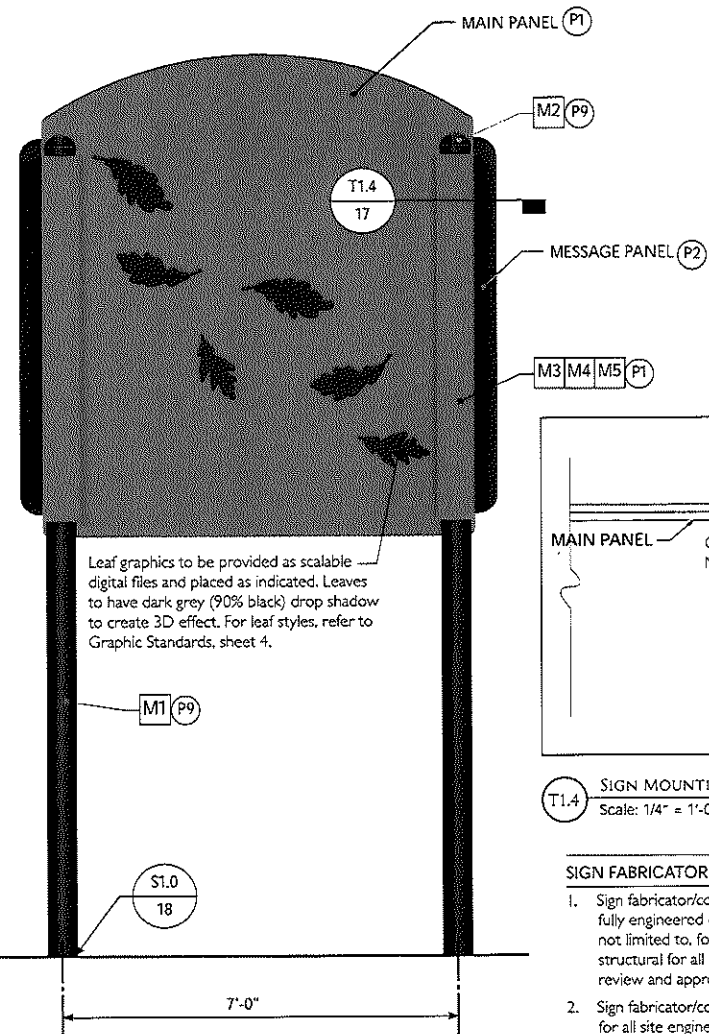
PROJECT MANAGER: SH

CHECKED BY:

DRAWN BY: SCH

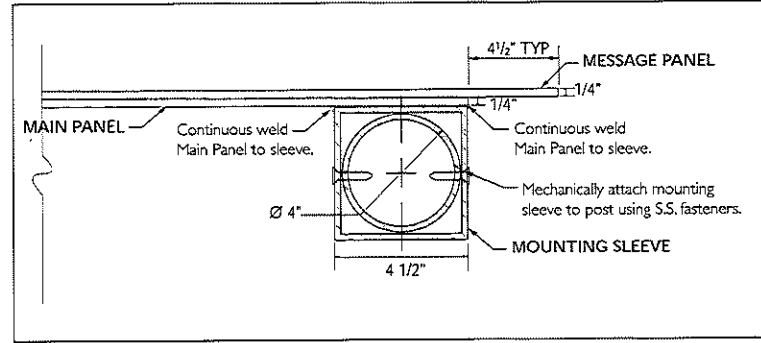
DATE: February 21, 2020

T1: LARGE VEHICULAR TRAILBLAZER SIGN SPECIFICATIONS



T1.3 SIGN PANEL & MOUNTING DETAILS
Scale: 1/2" = 1'-0"

Leaf graphics to be provided as scalable digital files and placed as indicated. Leaves to have dark grey (90% black) drop shadow to create 3D effect. For leaf styles, refer to Graphic Standards, sheet 4.



T1.4 SIGN MOUNTING DETAILS
Scale: 1/4" = 1'-0"

- SIGN FABRICATOR NOTES:**
1. Sign fabricator/contractor shall provide fully engineered drawings including, but not limited to, foundation, electrical and structural for all sign types to Owner for review and approval prior to sign fabrication.
 2. Sign fabricator/contractor shall be responsible for all site engineering. This shall include verifying the mounting conditions and providing a detail drawing for each mounting condition.

T1: MOUNTING :

- M1** POST: Use 2 - 4" steel post-variable heights. Use Anchor Base/Dent Breakaway Industries post or an approved equal. Installation to meet Virginia's Department of Transportation's specifications and regulations for the proper installation of signs and be breakaway as required. If breakaway base is required, use Dent Breakaway Industries, or approved equal. The size and specifications to be determined by Sign Fabricator's structural engineer.
- M2** POST CAP: To be 4"-Dome cap or an approved equal and painted to match post color.
- M3** MOUNTING SLEEVE: .25" thick, aluminum square, sleeve sized to fit over 4" steel post. Sleeve to have a continuous weld to back of main panel. Slide mounting sleeve assembly over post and mechanically fasten sleeve to post. No through-bolts visible on sign face. Mounting sleeve to be primed and painted using Matthews Acrylic Paint, or an approved equal and painted to match P1.
- M4** Any reinforcement, fasteners, or fittings shall be painted so as to be inconspicuous. All exposed hardware shall be tamper-resistant, non corrosive fasteners. The size and quantity to be determined by fabricator's structural engineer.
- M5** METAL PROTECTION: Where dissimilar metals contact each other, or where metal contacts other corrosive substrates, protect against galvanic action or corrosion by painting contact surfaces with bituminous coating or by other permanent separation as recommended by metal manufacturer or cited metal standard.

- NOTES:**
- T1: INSTALLATION NOTES:**
1. Installation to meet Virginia Department of Transportation's specifications and regulations for the proper installation of signs and to be breakaway as required. Use Dent Breakaway, Industries or an approved equal.
 2. For general sign locations refer to Vehicular Sign Location Map Sections A-E, sheets 35-50.

| T1: VEHICULAR TRAILBLAZER SIGNS | | |
|---------------------------------|-------------|-----------|
| SIGN WIDTH | SIGN HEIGHT | QUANTITY |
| 8'-0" | 9'-0" | 1 |
| 8'-0" | 8'-6" | 2 |
| 8'-0" | 8'-3" | 4 |
| 8'-0" | 8'-0" | 4 |
| 8'-0" | 7'-6" | 2 |
| 8'-0" | 7'-0" | 4 |
| 8'-0" | 6'-6" | 4 |
| 8'-0" | 5'-6" | 5 |
| QUANTITY TOTAL | | 30 |



WARREN COUNTY & FRONT ROYAL, VA WAYFINDING SIGN SYSTEM MASTER PLAN

Warren County, Virginia COLOR PALETTE

- P1** Pantone 370 C
- P2** Pantone 294 C
- P3** Pantone 468 C
- P4** Pantone 7183 C
- P5** Pantone 476 C
- P6** Pantone 730 C
- P7** C-10; M-85; Y-98; K-29
- P8** CorTen Steel
- P9** Black
- P10** 3M Diamond Grade Reflective Sheeting #1090

- SPECIFICATIONS KEY**
- (P#)** Color Identification
 - (S#)** Sign Panel Specifications
 - (M#)** Sign Mounting Specifications

| REVISION DATE |
|---|
| |
| PROJECT NO. 2017-0105 |
| SCALE: AS SHOWN |
| PROJECT MANAGER: SH |
| CHECKED BY: |
| DRAWN BY: SCH |
| DATE: February 21, 2020 |
| T1: VEHICULAR TRAILBLAZER MOUNTING DETAILS |
| SHEET 17 |

STRUCTURAL STEEL NOTES

1. ROUND PIPE SHALL BE ASTM A53 GRADE B. STRUCTURAL PLATE SHAPES SHALL BE IN ACCORDANCE WITH ASTM A36 SPECIFICATIONS ($F_y = 36$ KSI).
2. ALL STRUCTURAL STEEL WORK SHALL CONFORM TO THE LATEST EDITION OF THE "MANUAL OF STEEL CONSTRUCTION" OF THE "AMERICAN INSTITUTE OF STEEL CONSTRUCTION".
3. ALL WELDED CONNECTIONS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE "MANUAL OF STEEL CONSTRUCTION" AND THE LATEST EDITION OF THE "CODE FOR WELDING IN BUILDING CONSTRUCTION" OF THE AMERICAN WELDING SOCIETY. USE E70XX LOW HYDROGEN ELECTRODES.
4. ALL STEEL EXPOSED TO WEATHER SHALL BE HOT-DIPPED GALVANIZED.
5. ALL FASTENERS EXPOSED TO WEATHER SHALL BE HOT-DIPPED GALVANIZED OR STAINLESS STEEL.
6. ALL ANCHORS SHALL BE MANUFACTURED BY DENT BREAKAWAY INDUSTRIES.

GENERAL NOTES

1. UNDER NO CIRCUMSTANCES SHALL THE CONTRACT DRAWINGS BE REPRODUCED AND USED AS SHOP DRAWINGS.
2. THE STRUCTURAL DRAWINGS SHALL BE USED IN CONJUNCTION WITH THE REQUIREMENTS OF OTHER TRADES AS TO SLEEVES, CHASES, HANGERS, INSERTS, ANCHORS, HOLES, ETC., TO SET THE STRUCTURAL WORK.
3. ALL FASTENERS EXPOSED TO WEATHER SHALL BE HOT-DIPPED GALVANIZED OR STAINLESS STEEL.

DESIGN CRITERIA

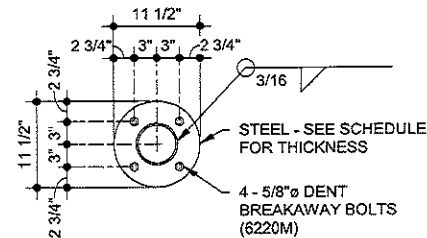
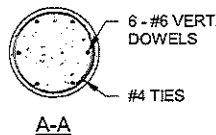
1. STRUCTURAL DESIGN IS IN ACCORDANCE WITH THE 2015 VIRGINIA UNIFORM STATEWIDE BUILDING CODE (VUSBC) & THE 2012 INTERNATIONAL BUILDING CODE (IBC), & THE AASHTO STANDARD SPECIFICATIONS FOR STRUCTURAL SUPPORTS FOR HIGHWAY SIGNS, LUMINARIES, AND TRAFFIC SIGNALS.
2. DESIGN LOADS ARE AS FOLLOWS:

| | |
|--|--------|
| WIND LOADS (PER ASCE): | |
| NORMAL DESIGN WIND SPEED (V_{asd}) | 82 MPH |
| ULTIMATE DESIGN WIND SPEED (V_{ult}) | 105 |
3. WIND EXPOSURE RISK CATEGORY: C

FOUNDATION NOTES

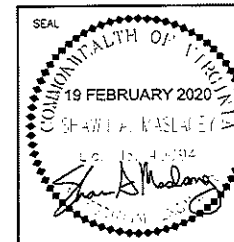
1. ALL FOOTINGS, INCLUDING SLAB ON GRADE, SHALL BEAR ON UNDISTURBED SOIL OR COMPACTED STRUCTURAL FILL WITH AN ALLOWABLE BEARING CAPACITY OF 1500 PSF AND ALLOWABLE LATERAL SOIL CAPACITY OF 150 PSF/FT.
2. ALL FOUNDATION CONCRETE SHALL OBTAIN A 28-DAY COMPRESSIVE STRENGTH OF 3000 PSI.
3. ALL REINFORCING STEEL SHALL BE IN ACCORDANCE WITH ASTM A615, GRADE 60.
4. CONCRETE PROTECTION FOR REINFORCING AS WELL AS PLACING AND FABRICATION OF REINFORCING SHALL BE IN ACCORDANCE WITH THE "AMERICAN CONCRETE INSTITUTE BUILDING CODE REQUIREMENTS" (ACI 318).

| SIGN PARAMETER SCHEDULE | | | |
|-------------------------|----------------|----------------------|---------------|
| SIGN CABINET HEIGHT | WALL THICKNESS | BASE PLATE THICKNESS | FOOTING DEPTH |
| 3' - 1" TO 6' - 8" | 0.226" | 1" | 5' - 0" |
| 6' - 9" TO 7' - 11" | 0.226" | 1 1/4" | 5' - 3" |
| 8' - 0" TO 9' - 1" | 0.318" | 1 1/4" | 5' - 9" |



BASE PLATE DETAIL

3/4" = 1'-0"



SINCLAIR PRATT CAMERON, P.C.
1630 DONNA DRIVE - SUITE 105
VIRGINIA BEACH, VA 23451-6188
757.417.0585 • 757.417.9568 (fax)
WEBSITE: WWW.SPC-ENG.COM

VEHICULAR WAYFINDING SIGNS

WARREN COUNTY & FRONT ROYAL, VIRGINIA

T1 SIGN FOUNDATION

PROJECT TITLE

DATE 02-19-20

JOB NUMBER 20-0159

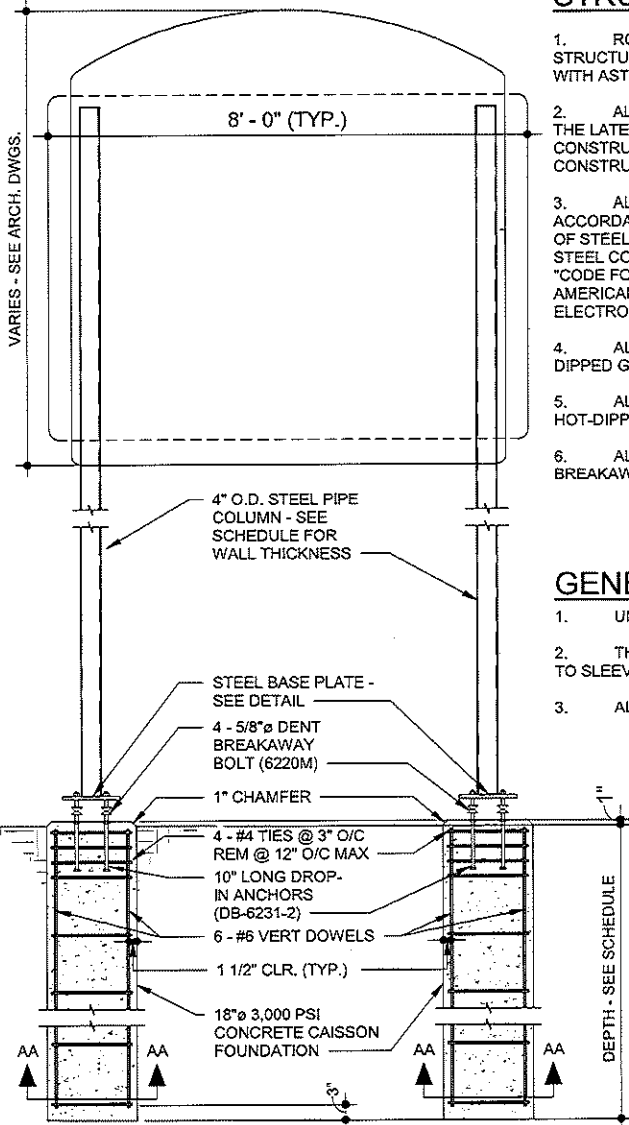
DESIGNED BY SAM

DRAWN BY DCC

CHECKED BY SAM

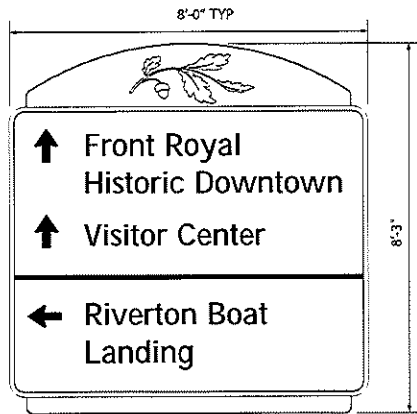
SHEET NO. 18

S1.0

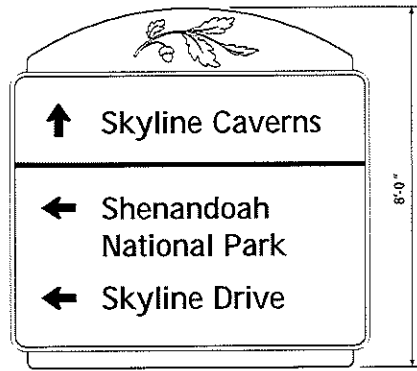


SIGN FOUNDATION

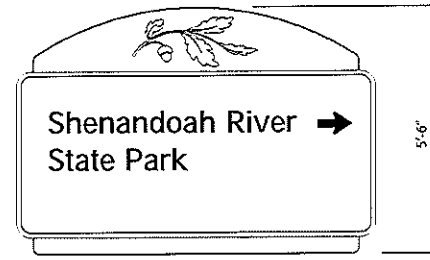
1/2" = 1'-0"



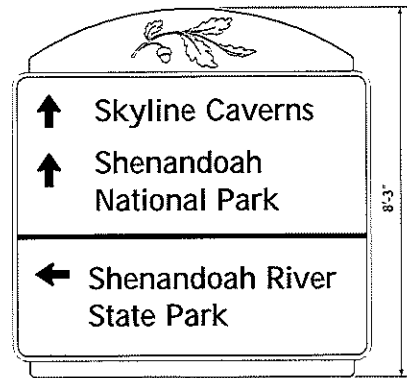
T1.1 See Section A



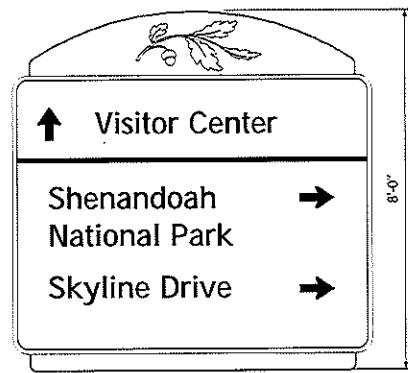
T1.2 See Section C



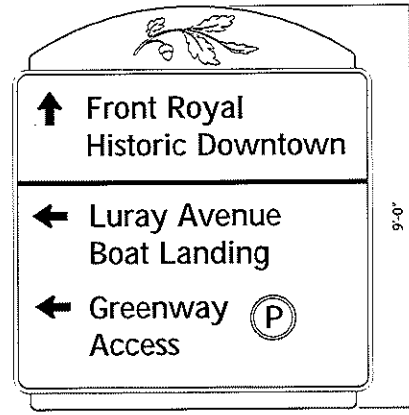
T1.3 See Section E



T1.4 See Section E



T1.5 See Section C



T1.6 See Section C

NOTES:

T1: INSTALLATION NOTES:

- For general sign locations refer to Vehicular Sign Location Map Sections A-E, sheets 35-50.



FRAZIER ASSOCIATES
 ARCHITECTURE • COMMUNITY DESIGN • WAYFINDING
 712 NORTH AUGUSTA STREET, STAUNTON, VA 24401
 PHONE: 540.895.8220 FAX: 540.896.8123
 www.frazierassociates.com

**WARREN COUNTY & FRONT ROYAL, VA
 WAYFINDING SIGN SYSTEM
 MASTER PLAN**

Warren County, Virginia

SIGN LOCATION KEY

- COUNTY SIGN
- FRONT ROYAL SIGN

REVISION DATE

| | |
|--|--|
| | |
| | |

PROJECT NO. 2017-0105

SCALE: 3/4" = 1'-0"

PROJECT MANAGER: SH

CHECKED BY:

DRAWN BY:

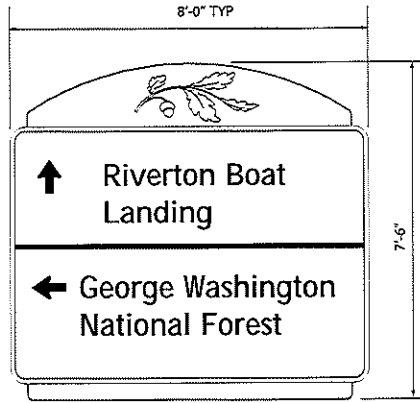
DATE: February 21, 2020

T1: VEHICULAR
 TRAILBLAZER SIGN
 PROGRAMMING

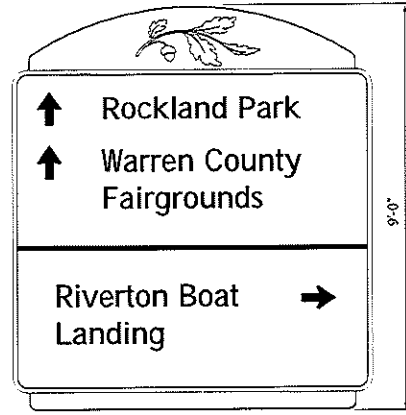
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T1: INSTALLATION NOTES:

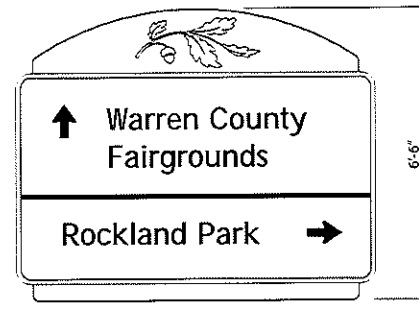
- I. For general sign locations refer to Vehicular Sign Location Map Sections A-E, sheets 35-50.



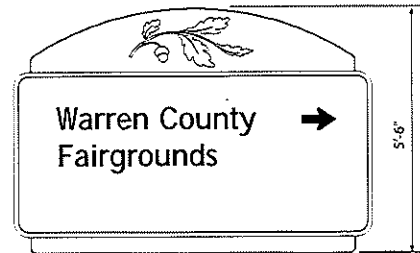
T1.7 See Section A



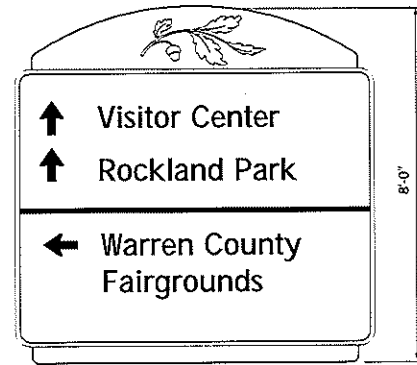
T1.8 See Section A



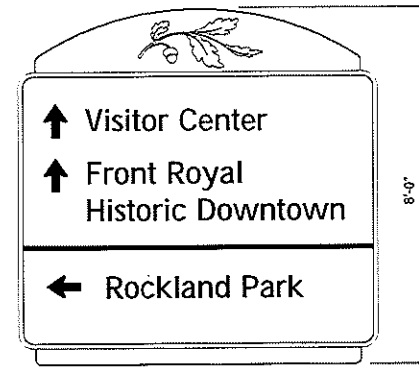
T1.9 See Section A



T1.10 See Section A



T1.11 See Section A



T1.12 See Section A



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 ARCHITECTURE • COMMUNITY DESIGN • PLANNING
 715 WYBLEN AVE, 1ST FL, CHARLOTTE, VA 23061
 PHONE 540.899.6100 FAX 540.899.6170
 www.frazierassociates.com

WARREN COUNTY &
 FRONT ROYAL, VA
 WAYFINDING SIGN SYSTEM
 MASTER PLAN

Warren County, Virginia

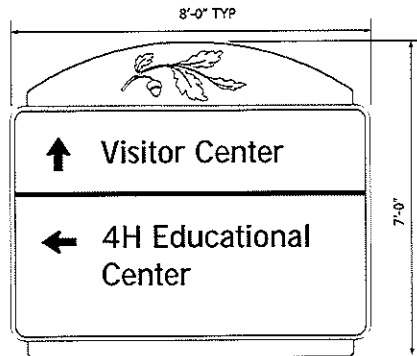
| SIGN LOCATION KEY | |
|-------------------|------------------|
| | COUNTY SIGN |
| | FRONT ROYAL SIGN |

| | |
|------------------|--|
| REVISION DATE | |
| PROJECT NO. | 2017-0105 |
| SCALE: | 3/4" = 1'-0" |
| PROJECT MANAGER: | SH |
| CHECKED BY: | |
| DRAWN BY: | SCH |
| DATE: | February 21, 2020 |
| T1: | VEHICULAR TRAILBLAZER SIGN PROGRAMMING |

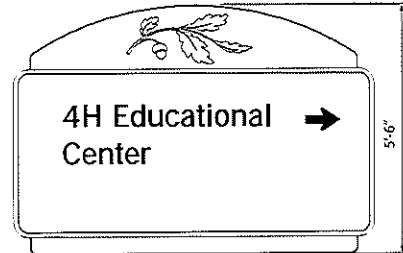
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T1: INSTALLATION NOTES:

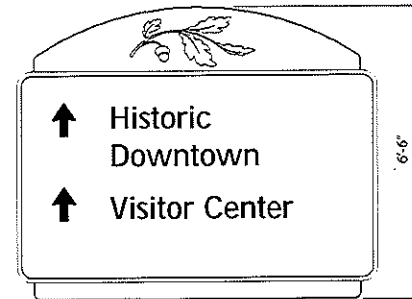
- I. For general sign locations refer to Vehicular Sign Location Map Sections A-E, sheets 35-50.



T1.13 See Section E



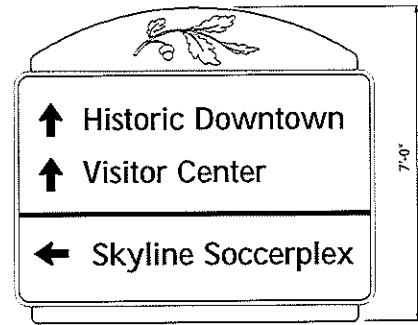
T1.14 See Section E



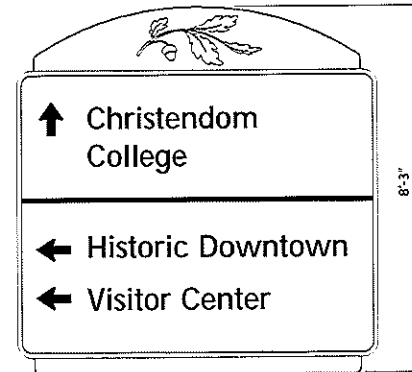
T1.15 See Section E



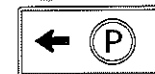
T1.16 See Section C



T1.17 See Section C



T1.18 See Section C



P1.18



FRAZIER ASSOCIATES
 ARCHITECTURE • COMMUNITY DESIGN • WAYFINDING
 715 WYKIN AVENUE, SUITE 111, STAUNTON, VA 24401
 PHONE: 540.885.8728 FAX: 540.885.8729
 www.frazierassociates.com

WARREN COUNTY &
 FRONT ROYAL, VA
 WAYFINDING SIGN SYSTEM
 MASTER PLAN
 Warren County, Virginia

SIGN LOCATION KEY

- COUNTY SIGN
- FRONT ROYAL SIGN

REVISION DATE

PROJECT NO. 2017-0105

SCALE: 3/4" = 1'-0"

PROJECT MANAGER: SH

CHECKED BY:

DRAWN BY: SCH

DATE: February 21, 2020

T1: VEHICULAR
 TRAILBLAZER SIGN:
 PROGRAMMING



FRAZIER ASSOCIATES
 ARCHITECTURE • COMMUNITY DESIGN • WAYFINDING
 215 NORTH AUGUSTA STREET, FAULTON, VA 24601
 PHONE 540.655.2279 FAX 540.655.4900
 www.frazierassociates.com

WARREN COUNTY &
 FRONT ROYAL, VA
 WAYFINDING SIGN SYSTEM
 MASTER PLAN

Warren County, Virginia

SIGN LOCATION KEY

-  COUNTY SIGN
-  FRONT ROYAL SIGN

REVISION DATE

PROJECT NO. 2017-0105

SCALE: 3/4" = 1'-0"

PROJECT MANAGER: SH

CHECKED BY:

DRAWN BY: SCH

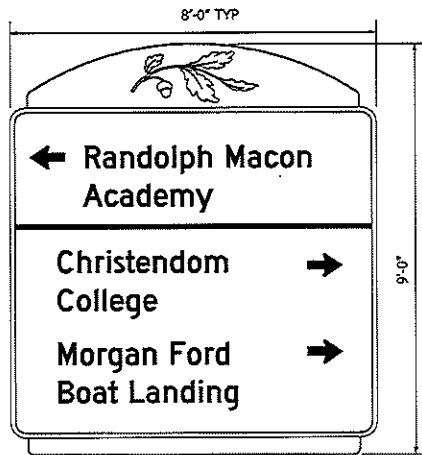
DATE: February 21, 2020


**TI: VEHICULAR
 TRAILBLAZER SIGN:
 PROGRAMMING**

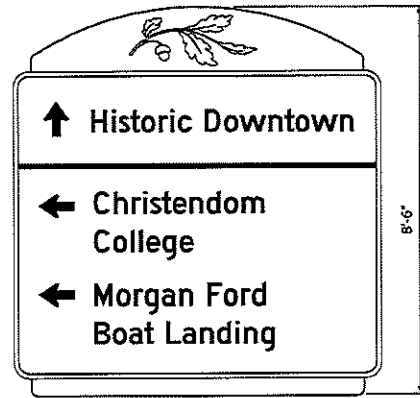
NOTES:


TI: INSTALLATION NOTES:

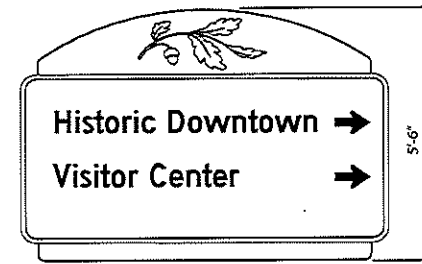
- I. For general sign locations refer to Vehicular Sign Location Map Sections A-E, sheets 35-50.




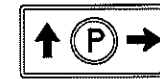
 T1.19 See Section B



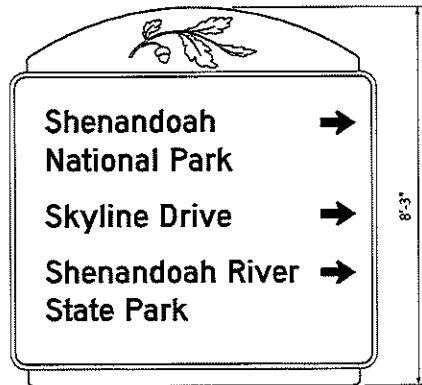
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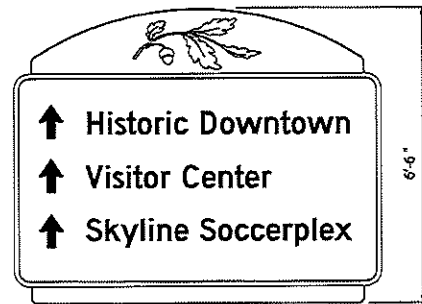
 T1.21 See Section C




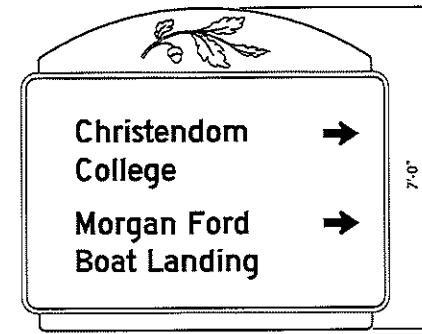
P1.21




 T1.22 See Section D



 T1.23 See Section D

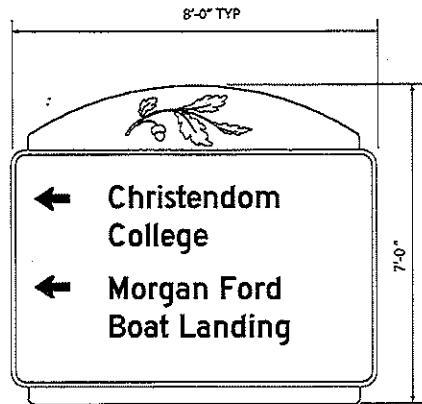


 T1.24 See Section D

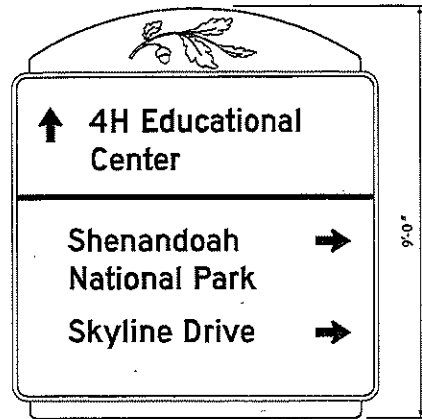
NOTES:

TI: INSTALLATION NOTES:

- For general sign locations refer to Vehicular Sign Location Map Sections A-E, sheets 35-50.



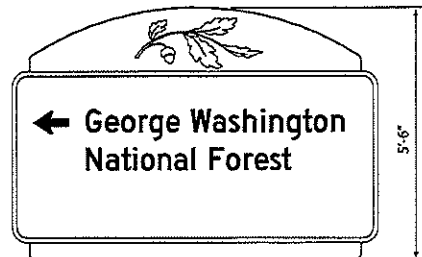
T1.25 See Section D



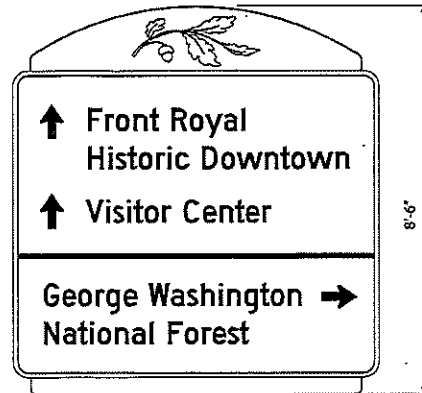
T1.26 See Section C



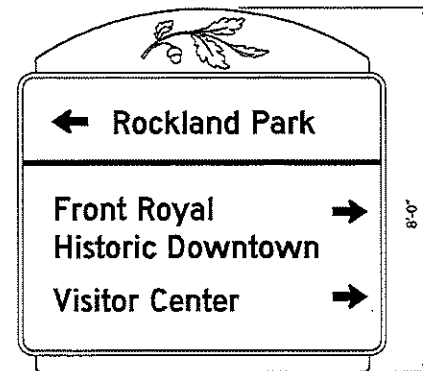
T1.27 See Section A



T1.28 See Section A



T1.29 See Section A





T1.30 See Section A



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WARREN COUNTY &
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 MASTER PLAN
 Warren County, Virginia

SIGN LOCATION KEY

-  COUNTY SIGN
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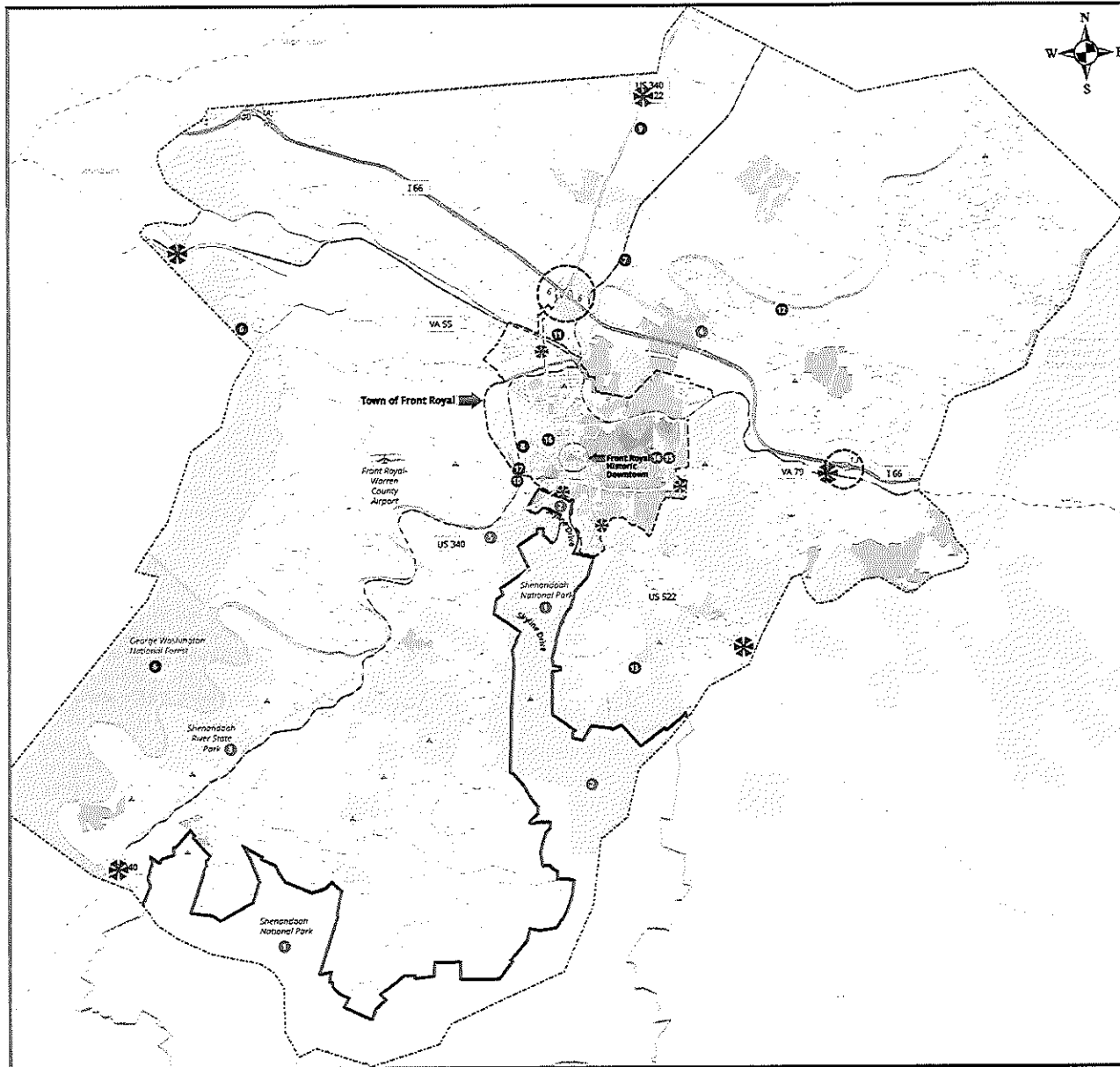
CHECKED BY:

DRAWN BY: SCH

DATE: February 21, 2020

**TI: VEHICULAR
 TRAILBLAZER SIGN:
 PROGRAMMING**

WAYFINDING MASTER PLAN OVERVIEW MAP



LEGEND

- County Gateway Sign
- Front Royal Gateway Sign
- County Boundary
- Front Royal Boundary
- Parks
- Interstate
- US State Highways (Primary Wayfinding Corridor)
- State Routes (Proposed Dessestination Routes)
- Water
- Railroad
- Interstate Exits

COUNTY DESTINATIONS

- PRIMARY DESTINATIONS:**
Interstate 66 Signs:
 - 1 Shenandoah National Park
 - 2 Skyline Drive
 - 3 Shenandoah River State Park
 - 4 Christendom College
 - 5 Skyline Caverns
 - 6 Tourist Information (located in Front Royal)
- PROXIMITY DESTINATIONS:**
(located in Front Royal)
 - 7 George Washington National Forest
 - 8 Rockland Park
 - 9 Skyline Soccerplex Park
 - 10 Warren County Fairgrounds
 - 11 Lurry Ave Boat Landing
 - 12 Riverton Boat Landing
 - 13 Morgan Ford Boat Landing
 - 14 4-H Education Center

TOWN OF FRONT ROYAL DESTINATIONS

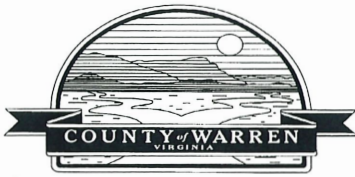
- PRIMARY DESTINATIONS:**
 - 1 Historic Downtown
 - 2 Visitor Center
- PROXIMITY DESTINATIONS:**
 - 3 Randolph Macon Academy
 - 4 Royal Shenandoah Gateway (trailhead with parking)

WAYFINDING SIGN SYSTEM POLICY REQUIREMENTS:

This wayfinding sign system is a regional project including Warren County and the Town of Front Royal. As such, Warren County shall be required to follow VDOT's Community Wayfinding Sign Manual procedures for developing and implementing a wayfinding sign system along VDOT maintained Right-of-Way.

The Town of Front Royal maintains their own roadways and shall not be required to follow VDOT's Community Wayfinding Sign Manual.

This regional sign system has been coordinated between both Warren County and the Town of Front Royal in order to provide the visitor/motorist with a harmonious and consistent system within the signing region.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | | |
|-------------------------|--------------------------------|--|------------------------------|
| DATE 9/6/2022 | ITEM H-10 | SUBJECT: Class C Subdivision - Bond Release D.R. Horton, Inc. Blue Ridge Shadows Phase 2 | PAGE 1 of 1 |
|-------------------------|--------------------------------|--|------------------------------|

EXPLANATION & SUMMARY:

Section 155-58(F) of the Warren County Subdivision Ordinance states that, "The Board of Supervisors shall release, either partially or fully, any bond, escrow, letter of credit or other performance guaranty required by the county under this section within 30 days after receipt of written notice by the subdivider or developer of completion of part or all of any facilities required to be constructed hereunder unless the Board notifies said subdivider or developer, in writing, of any specified defects or deficiencies in construction and suggested corrective measures prior to the expiration of said thirty-day period; provided, however, that the Board shall not be required to release such bond, escrow, letter of credit or other performance guaranty in an amount to exceed 90% of the actual cost of the construction for which the bond was taken until such facilities have been completed and accepted by the Board or state agency. For the purposes of this subsection, a certificate of partial or final completion of such facilities from a duly licensed engineer or from an appropriate governmental agency may be accepted without requiring further inspection of such facilities."

The final plat for Blue Ridge Shadows subdivision (phase 2) was approved by the Planning Commission on January 10, 2006. A subdivision bond for this phase of the development was posted by D.R. Horton to the County in September 2005 for \$836,221.00. I have attached a copy of the performance bond and the phasing plan for the entire subdivision. D.R. Horton has been working with VDOT to complete the roads in the subdivision to meet State standards and to be accepted into the State highway system. At this time, the required improvements for phase 2 of the subdivision have been completed and VDOT has accepted this section of roadway into their system. Phase 2 encompasses the rear of the subdivision on Shadows Drive and Ace Court. The remaining bonds will come to the Board of Supervisors for release once the improvements are complete and DEQ and VDOT have agreed to the bond release.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors approve the release of the performance bond (#6369837) for D.R. Horton, Inc. in the amount of \$836,221.00 for the completion of the required physical improvements for Blue Ridge Shadows Subdivision Phase 2.

| | | |
|---|---|----------------------|
| SUBMITTED BY: Taryn Logan, <i>TGL</i> Deputy County Administrator | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (Describe) | PROCESSED BY: |
|---|---|----------------------|

SUBDIVISION BOND

Bond No. 6369837

KNOW ALL MEN BY THESE PRESENTS, that we D.R. Horton, Inc.

11216 Waples Mill Road, Suite 105 Fairfax, VA, 22030

as Principal, and Safeco Insurance Company of America

authorized to do business in the State of VA, as Surety, are held and firmly bound unto

County of Warren

as Obligee, in the penal sum of Eight Hundred Thirty Six Thousand Two Hundred Twenty One Dollars and No Cents

(\$ 836,221.00) DOLLARS, lawful money of

the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, D.R. Horton, Inc.

has agreed to construct in Blue Ridge Shadows Phase 2

the following improvements: Site Preparation, Roads and Paving, Earthwork, Water and Sewer and Landscaping

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void; otherwise to remain in full force and effect.

Signed, sealed and dated this 6th day of September, 2005

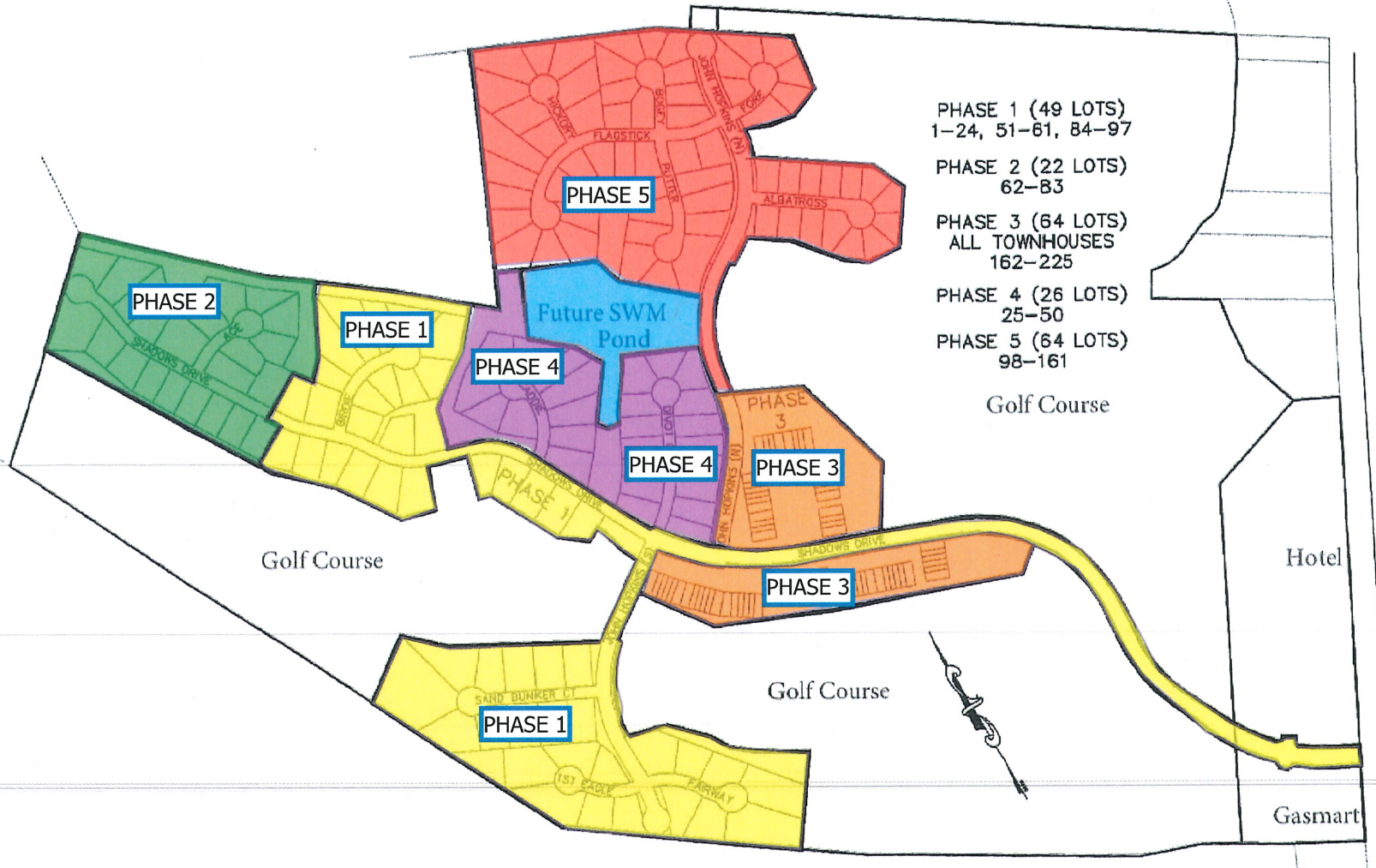
D.R. Horton, Inc.

By: [Signature] Principal

Safeco Insurance Company of America

By: [Signature] Anett Cardinale Attorney-in-Fact

c/o Willis of Florida, 3000 Bayport Dr, #300 Tampa FL 33607/Inquiries: (813) 281-2095



- PHASE 1 (49 LOTS)
1-24, 51-61, 84-97
- PHASE 2 (22 LOTS)
62-83
- PHASE 3 (64 LOTS)
ALL TOWNHOUSES
162-225
- PHASE 4 (26 LOTS)
25-50
- PHASE 5 (64 LOTS)
98-161

Golf Course

Hotel

Gasmart

Golf Course

Golf Course

PHASE 5

PHASE 2

PHASE 1

PHASE 4

PHASE 4

PHASE 3

PHASE 3

PHASE 1

Future SWM Pond





March 17, 2022

Via Email & FedEx Overnight Delivery

Mrs. Taryn Logan
220 North Commerce Ave.
Front Royal, Va. 22630

Re: Blue Ridge Shadows ~ Phases 2, 3, and 4 Bond Release Request

Dear Taryn,

At this time, we have completed our obligations to Warren County and VDOT for Phases 2, 3, and 4 of Blue Ridge Shadows. Shadows Drive which is part of Phase 2 and Phase 4, and also fronts Phase 3, i.e. the townhouse section, has been accepted into the VDOT state maintenance system as of August 14, 2020.

Per your telephone conversation with our Bond Release Consultant Jeff Beachy on March 17, 2022, please accept this letter as our official release request for the above bonds

Please let us know if you need anything further from us to release this bond.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Giovannacci", is written over a faint, light blue circular watermark or background graphic.

David Giovannacci
Land Development Manager – Northern Virginia
(301) 789-6517
DGiovannacci@drhorton.com

cc: Elliott Butler, D.R. Horton, Inc.
Jeff Beachy, Coastal Site Services, LLC



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | | |
|----------------------------------|----------------------------|--|------------------|
| DATE September 6, 2022 | ITEM H-11 | SUBJECT: Authorization to Advertise for Public Hearing – Lease of County Real Property | PAGE 1 OF |
|----------------------------------|----------------------------|--|------------------|

EXPLANATION & SUMMARY:

The County would like to rent out the County-owned house located on the Airport grounds to Albert Van Jarrsveld with Skydive Front Royal, LLC for \$600 per month for the month of September in exchange for Mr. Van Jarrsveld's assisting the airport with excellent customer service at the front desk during operating hours.

All leases with County-owned real property must first have a public hearing.

COST & FINANCING:

PROPOSED OR SUGGESTED MOTION:

I move the Board of Supervisors authorize the advertisement of a public hearing for the proposed lease of the house located at 229 Stokes Airport Road on the Front Royal-Warren County Airport Grounds.

or

I move the Board of Supervisors do not authorize the advertisement of a public hearing for the proposed lease of the house located at 229 Stokes Airport Road on the Front Royal-Warren County Airport Grounds.

| | | |
|---|--|----------------------|
| SUBMITTED BY: Alisa Scott, Deputy Finance Director | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | PROCESSED BY: |
|---|--|----------------------|

***The Lease
Agreement for
this item will
not be ready
until the
meeting on
September 6th***



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| DATE | ITEM | SUBJECT: | PAGE 1 OF |
|---|--|---|----------------------|
| September 6, 2022 | H-12 | Authorization to Advertise for Public Hearing – Lease of County Real Property | |
| <p><u>EXPLANATION & SUMMARY:</u></p> <p>The County would like to lease apartment #2 located at 136 Hillidge Street Front Royal, VA 22630 to Raymond K. Freeman, Jr., who currently occupies the apartment and pays a monthly rent of \$725.</p> <p>All leases with County-owned real property must first have a public hearing.</p> <p><u>COST & FINANCING:</u></p> <p><u>PROPOSED OR SUGGESTED MOTION:</u></p> <p>I move the Board of Supervisors authorize the advertisement of a public hearing for the proposed lease of 136 Hillidge Street Apartment #2 Front Royal, VA 22630 with Raymond K. Freeman, Jr for a monthly rent of \$725.</p> <p style="text-align: center;">or</p> <p>I move the Board of Supervisors do not authorize the advertisement of a public hearing for the proposed lease of 136 Hillidge Street Apartment #2 Front Royal, VA 22630 with Raymond K. Freeman, Jr.</p> | | | |
| SUBMITTED BY: Alisa Scott, Deputy Finance Director | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE) | | PROCESSED BY: |

LEASE AGREEMENT
136 HILLIDGE STREET, APT. 2

THIS LEASE AGREEMENT (hereinafter the “Agreement”) made this _____ day of _____, 2022, by and between the **COUNTY OF WARREN, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (hereinafter the “County”), and **RAY FREEMAN** (hereinafter the “Lessee”).

WITNESSETH: For and in consideration of the mutual agreements herein contained, the parties hereto do mutually consent and agree as follows:

1. **Premises:** The County hereby leases and demises unto Lessee the premises (hereinafter the “Premises”) known and designated as 136 Hillidge Street, Apt. 2, Front Royal, Virginia, 22630.
2. **Initial Term.** Lessee agrees to lease the Premises for a period of one (1) year (hereinafter the "Initial Term") commencing on **September 1, 2022** and continuing (if not otherwise terminated or extended pursuant to the terms of the Agreement) through **August 31, 2023**.
3. **Option to Renew.** At the end of the Initial Term or any extension or renewal thereof, the Lessee may, at its option, extend the Agreement for additional one (1) year periods (hereinafter the “Renewal Term”) under the same terms and conditions herein, provided that the Lessee shall give the County written notice of its intentions thirty (30) days before the expiration date of the Initial Term or Renewal Term. For purposes of this Lease, the word “Term” shall be deemed to mean the Initial Term and, to the extent applicable, each Renewal Term.

4. **Rent.** The rent under this Lease is payable in monthly installments of **Seven Hundred Twenty-Five and 00/100 Dollars (\$725.00)**. The first month's rent shall be paid no later than September 12, 2022. All subsequent monthly payments shall be paid no later than the first day of each month beginning the 1st day of October, 2022. A five (5) day late payment fee of Twenty-Five Dollars (\$25.00) shall be applied to and owing on any monthly rental payment five (5) days or more overdue. A bad check fee of Twenty-Five Dollars (\$25.00) shall be applied to any returned check. The rental check should be made payable to "Treasurer of Warren County" and mailed or delivered to the County Attorney's Office, 220 N. Commerce Avenue, Suite 100, Front Royal, Virginia 22630. It is the responsibility of the Lessee to promptly pay the County the fees and charges. Otherwise, a delinquent notification will be mailed by the Warren County Attorney's office to the Lessee.
5. **Electric.** Electric shall be maintained in Lessee's name and shall be the responsibility of the Lessee to pay.
6. **Water and Sewer.** Water and sewer utilities shall be maintained in Lessor's name and shall be the responsibility of the Lessor to pay.
7. **Pets:** No pets shall be permitted unless Lessee first receives written permission to have a pet. No more than one (1) pet will be allowed.
8. **Smoking.** No smoking shall be permitted inside the dwelling.
9. **Alterations or Improvements.** Alterations, additions, or improvements to the Premises shall not be permitted without the prior written consent of the County.
10. **Hazardous Materials.** During the Term, Lessee shall not use, store, dispose of or release onto or into the ground of the Premises any Hazardous Materials (as

hereinafter defined) in violation of any federal, state or local law or regulation governing the use, storage, disposal or release of Hazardous Materials (collectively, "Environmental Laws"). For purposes hereof, Hazardous Materials shall include: (a) any "hazardous waste" as defined by the Resource Conservation and Recovery Act of 1976, as amended from time to time, and regulations promulgated thereunder; (b) any "hazardous substance" as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, and regulations promulgated thereunder; and (c) any substances or materials otherwise prohibited or regulated by any other Environmental Laws. In the event of any violation of Environmental Laws by Lessee or any release, spill or discharge of any Hazardous Materials onto or into the ground of the Premises by Lessee, Lessee shall, after becoming aware thereof, immediately notify the County of the same and forthwith take all steps necessary to (i) remedy such violation or (ii) clean-up, remove and otherwise remediate such Hazardous Materials in compliance with applicable Environmental Laws.

11. **Services.** Lessee shall be responsible to pay or provide for the following: all communications services refuse collection and any other services to the Premises.
12. **Assignment and Sublease.** This Lease may not be assigned or transferred, and the Premises may not be assigned or transferred or sublet, in whole or in part, by Lessee without the County's prior written consent.
13. **Right of Entry to Inspect.** The County reserves the right for itself, its agents, and employees to enter upon the Premises at reasonable times upon the giving of advance reasonable notice to make inspections. Additionally, the locks shall not

be changed without the County's prior written consent, and the Lessee shall provide a copy of the new key to the County after the County gives written consent.

14. **Insurance.** Lessee shall be responsible for procuring renters insurance to insure the personal property and contents within and on the Premises. The County shall be responsible for insuring the real property.
15. **Indemnity.** The Lessee hereby agrees to indemnify, defend and hold harmless the County, its employees, agents and representatives from any claims, actions, demands and/or expenses, including attorney and professional fees, for any act or activity which is in any way connected with the Lessee's use of Premises, excluding the County's use of the Premises.
16. **Damage or Destruction.** In any case of casualty resulting in damage or destruction to the Premises or of any improvements or any portion thereof, Lessee shall promptly give written notice thereof to the County. The County shall at its cost and expense, to the extent that insurance proceeds are sufficient therefore and properly appropriated by the County, restore, repair, replace, or rebuild in a good and workmanlike manner the Premises as nearly as possible to their valued condition and character immediately prior to such damage or destruction; provided, the County shall be entitled to, in its sole discretion, construct the improvements entirely different from the damaged improvements, taking into account the current building codes.

All insurance proceeds received as a result of any damage or destruction to the Premises and improvements shall be immediately appropriated directly to the

County, and the County shall use such proceeds to construct or reconstruct the Premises.

17. **Additional Covenants by Lessee.**

a) Upon the expiration or termination of this Lease, Lessee agrees to deliver the Premises in good and clean condition, ordinary wear and tear accepted. Lessee agrees to pay the costs of all repairs and cleaning required by wear and tear beyond the ordinary.

b) Lessee agrees to give the County prompt written notice of any defects of the Premises, equipment, appliances, and fixtures for which the County is responsible for repairs.

18. **Compliance with Laws.** In its use of the Premises, Lessee shall at all times be in full compliance with all applicable Federal, State, and County laws, regulations, and requirements, and shall take such actions as may be reasonably necessary for the protection of the health, safety, and well-being of the public.

19. **Termination for Convenience.** At any time during the Agreement, the County or the Lessee shall have the option to terminate the Agreement upon thirty (30) days' notice to the other party in the Agreement.

20. **Security Interests and Leasehold Mortgages.** It is understood that in borrowing funds, Lessee cannot place a mortgage on County's leasehold interest in the Premises created by this Lease.

21. **Entire Agreement.** This Agreement constitutes the entire, full, and complete understanding and agreement of the parties, and may not be modified orally or in

any other manner than by agreement in writing signed by all parties to the Agreement or their respective successors in interest.

22. **Notices.** For the purposes of this Lease, all notices shall be in writing, and shall be delivered by first class mail to the parties at the addresses stated herein, to-wit:

County of Warren, Virginia
c/o Dr. Edwin C. Daley, County Administrator
County Administrator's Office
220 N. Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Ray Freeman
136 Hillidge Street, Apt. 2
Front Royal, Virginia 22630

23. **Severability.** Any term of this Agreement which is prohibited by, or is unlawful or unenforceable under Virginia law shall be ineffective only to the extent of such prohibition, without invalidating the remaining terms of this Agreement.
24. **Interpretation.** Interpretation of the provisions of this Lease Agreement shall be in accordance with the laws of the State of Virginia.
25. **Enforcement.** Any action maintained by either party for the enforcement or interpretation of the terms of this Contract shall be filed in the courts of Warren County, Virginia.

The parties hereinafter, having read and understood the provisions of this Lease, agree for themselves, their successors and assigns to be bound thereby.

[REMAINDER OF PAGE WAS LEFT INTENTIONALLY BLANK]

COUNTY OF WARREN, VIRGINIA

By: _____

**Dr. Edwin C. Daley,
County Administrator**

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia, at large, do hereby certify that **Dr. Edwin C. Daley**, County Administrator, whose name is signed to the foregoing Lease Agreement, has this day personally appeared and acknowledged the same before me in my State and County aforesaid.

Given under my hand this ____ day of _____, 2022.

My commission expires: _____. My certificate number: _____.

Notary Public

By: _____

Ray Freeman

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia, at large, do hereby certify that **Ray Freeman** whose name is signed to the foregoing Lease Agreement, have this day personally appeared and acknowledged the same before me in my State and County aforesaid.

Given under my hand this ____ day of _____, 2022.

My commission expires: _____. My certificate number: _____.

Notary Public

Approved as to form:

Caitlin Jordan
Senior Assistant County Attorney



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | |
|---------------------------|----------------------------|--|
| DATE 09/06/2022 | ITEM H-13 | SUBJECT: Conditional Use Permit #2022-07-01 Michelle Moriarty <i>Short-Term Tourist Rental</i> |
|---------------------------|----------------------------|--|

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- 1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- 2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- 5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- 6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - c) Provide for adequate parking and ingress and egress to public streets or roads.
 - d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - e) Prevent such use from changing the character and established pattern of development of the community.

PLANNING COMMISSION STATUS:

On Wednesday, August 10, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 4-0.

RECOMMENDED CONDITIONS:

Staff recommends that if the Board of Supervisors is going to approve of this request that the following conditions should be applied:

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

| | | |
|--|---|----------------------|
| SUBMITTED BY: Chase Lenz, <i>L</i> Zoning Administrator | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (Describe) | PROCESSED BY: |
|--|---|----------------------|



Conditional Use Permit: 2022-07-01 / Short-Term Tourist Rental

Michelle Moriarty, Current Owner/Applicant

Prepared: June 28, 2022 Revised: July 27, 2022

Staff Contact: Chase Lenz, Zoning Administrator

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SUMMARY OF REQUEST

The applicant is requesting a conditional use permit for a short-term tourist rental for the property she recently purchased in April of 2022. The owner would like to help offset the costs of owning a second home by making the property available as a quiet refuge for short-term visitations for guests seeking to disconnect and surround themselves with the natural beauty of the Shenandoah Valley. The applicant will use a local property manager and local professional services for emergencies, maintenance, cleaning, garbage disposal, and guest screening/reservations.

PROPERTY INFORMATION

Property Location: 96 Cappy Road
Tax Map ID: 23C--2-2--29
Magisterial District: Happy Creek
Subdivision: Shenandoah Farms - Mountain View Section

City: Linden
Zoning: Residential-One (R-1)
Acres: 0.72 Acres
Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Residential-One (R-1)
South: Residential-One (R-1)
East: Residential-One (R-1)
West: Residential-One (R-1)

Use: Vacant - Woodlands
Use: Vacant - Woodlands
Use: Single Family Dwelling
Use: Single Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 2007 and no zoning violations have been recorded for the property.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for residential land uses. A short-term tourist rental is a use allowed by conditional use permit in the Residential-One zoning district and is compatible with the current Warren County Zoning Ordinance.

SUPPLEMENTARY REGULATIONS

Warren County Zoning Ordinance: § 180-56.4: Short-term tourist rentals.

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. **There is a Health Department permit on file approving six (6) occupants for the dwelling. The applicant has provided documentation requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all rights-of-way and in yards. **There is sufficient parking for at least three vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- I. If the property is located within a subdivision governed by a Home Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. **Comments have been received from the Property Owners of Shenandoah Farms stating they have no objections to this request.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**

- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.
- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 145' to the northwest.**

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. *Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.*

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: Michelle Moriarty – Owner/Applicant

96 Cappy Road Linden, VA 22642 – Short-Term Rental CUP Statement of Justification

Warren County Planning Commission,

I am requesting your recommendation of approval for a short-term rental conditional use permit (CUP) to rent my property at 96 Cappy Road Linden, VA 22642 (3 bedroom) to guests. I bought this home in March 2022, a month before I got married, with the intention of having this property as a second family home and a short term rental. I hope to use my single-family home part time with my family & friends and then rent it to help offset the costs of having a second home. My husband and I hope to begin having children soon and dream of having family trips out to the cabin and to teach our future kids to love & appreciate the area as we do.

I want to create a quiet and stress-free refuge for up to 6 guests who are searching for an opportunity to disconnect and be surrounded by the natural beauty of Shenandoah Valley, Front Royal, Linden, etc. I would like the rental to also be available to visitors who would like to attend the area's special events and community activities such as the Front Royal Wine & Craft Festival, Appaloosa Music Festival, and Christendom College events. I am working with local contacts to develop a notebook for visitors recommending places to eat, drink, hike, and shop (parks, wineries, restaurants, museums, caverns, etc).

The cabin has been decorated with a patriotic theme and is called "Liberty Chalet". My husband was in the U.S. Army for 15 years and a West Point graduate. We both love this country and our freedoms so the cabin is a tribute to that.

During the past two years of the pandemic my now husband and I went to Shenandoah and Front Royal 1-2 weekends per month, staying in the area overnight and for day trips. This area has been our place of refuge away from the crowded city. We have found peace and beauty here and wanted to become more than just visitors ourselves. Because of our jobs we cannot move here full time but being able to rent our property part time will allow us to continue to be home owners in this area.

Scott Truax will be working as my property manager and will be available for any emergencies. Scott is a local home inspector and has deep ties to the local community. He lives a 10-minute drive from 96 Cappy Road. I plan to hire local landscapers, contractors and cleaners to upkeep the property as well. I have already hired local TNT Construction to complete a significant amount of aesthetic work on the property to ensure it is in pristine condition (Log siding re-finishing, deck refinish, interior floor refinishing etc.). The advertising company we will use to advertise the cabin and make reservations will have strict guidelines for guests including but not limited to - no parties or events, quiet hours between 10pm to 7am, no smoking, and no unregistered guests. The property also has ADT monitoring to ensure the safety of the renters.

I have met with our neighbors and have already talked to them about their concerns. We have exchanged phone numbers and email addresses so that my neighbors can contact myself and/or Scott Truax if they have any issues to discuss.

Thank you for your consideration.

Michelle Moriarty

(571) 594-9256 Michelle.moriarty7@gmail.com

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-07-01
Date Received: 5/23/2022
Fee Amount: \$ 500.00
Date Paid: 5/24/2022 Ch# 218

Applicant Information:

Michelle Moriarty
Applicant Name

3820 Birchwood Rd. Falls Church VA 22041
Address City State Zip

96 CAPPY Rd. Linden, VA 22642
Property Location for conditional use permit if Different than Applicant's Address

571-594-9256 michelle.moriarty7@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 96 CAPPY Rd. Linden, VA 22642
- (2) Election District: Shenandoah Election District 402
- (3) Tax Map Number: 23C 2 2 29
- (4) Subdivision Name: Shenandoah Farms, Mountain view, Section 2, Block 2, Lot 29
- (5) Total Area of Property (acres): .72 acres
- (6) Total Area to be Used (acres): .72 acres
- (7) Total Road Frontage (feet): 105'
- (8) Depth of Property (feet): 196'
- (9) Present Zoning: Residential

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short term rental
- (2) Current land use and condition of site: Private residence, site is in good condition
- (3) Zoning of surrounding land/property: Residential use
- (4) Will development be staged? Yes No
- (5) Construction Time: N/A - all structures are fully built
- (6) Season, days, and hours of operation: year round - winter weather permitting
- (7) Will there be a sign? Yes No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) N/A - no there has been no prior application for a conditional use permit
- (9) Number of full time employees: N/A - no full time employees. Scott Truax is the Property Manager.
- (10) What type of sewage disposal system will be used? Private Central Public
- (11) Number of persons to be served by the sewage disposal system: 6 people, 3 bedrooms
- (12) Number of parking spaces to be provided: Regular 3 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
Currently maintaining landscaping myself but Scott Truax and I will hire a local landscaper once we are allowed to use the property for short term rentals.

C. Plans Prepared By

Name: Micheme Moriarty
Address: 3820 Birchwood Rd. Falls Church, VA 22041
Telephone Number: 571-594-9256

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____
N/A - no

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) N/A - none

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) N/A - none

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. N/A - none.

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) N/A - none.

(6) What will be the impact on traffic? N/A - none.

(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. 48 Hampton Bay outdoor lights for the outdoor deck. The lights are string lights with 514 single filament LED bulbs. watt equivalence is 3.

The following documents and/or information are required to be submitted with the application:

- An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.
- A Site Plan/Survey.**
Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.
- Sewage Disposal and Well Site.**
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.
- A copy of the deed to the property verifying the current ownership.**
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.
- A statement verifying that real estate taxes have been paid.**
This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center. - see explanation in email
- Environmental and Community Impact Statements**
The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request. - see explanation in email
- List of chemicals stored on the site**
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.
- Location Map**
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information. - see explanation in email
- Directions to your property from the Warren County Government Center.**
please see attached directions in the email

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.

Michelle Moriancy
Applicant Signature

5/23/2022
Date

Michelle Moriancy
Property Owner Signature

5/23/2022
Date

Accepted by: Chase Long

Date: 5/24/2022

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

Property Management Plan
96 Cappy Road Linden, VA 22642
Shenandoah Farms, Mountain View

In Case of Emergency

Owner: Michelle Moriarty 571-594-9256 michelle.moriarty7@gmail.com

Property Manager: Scott Truax 571-643-1656 STRuax@usinspect.com

If there is an emergency, or there are questions in regards to the property, please contact Michelle or Scott listed above. If the emergency required immediate assistance place a call to 911. An example of the Host Contact Page is attached. Note, Michelle Moriarty is the principle owner located in Falls Church, VA and Scott Truax is the local property manager located in Front Royal, VA.

Warren County Sheriff's Department: 540-636-7100 or 911, 200 Skyline Vista Drive, Front Royal, VA 22630

Warren County Fire & Rescue: 540-636-3830 or 911, 200 Skyline Drive Front Royal, VA 22630

Neighboring Fire Department: Linden Volunteer Fire Department 540-636-3473, located at 4561 John Marshall Hwy, Linden, VA 22642

Warren Memorial Hospital: 540-636-0300 or 911, 1000 N. Shenandoah Ave, Front Royal, VA 22630

Electrical Outage: Rappahannock Electric Cooperative at 800-552-3904

Emergency Evacuation:

Head southeast on Cappy Rd toward High Top Rd

Turn left onto High Top Rd

Turn right onto Crossway Ln

Turn right onto High Top Rd

Turn right onto State Rte 638

Turn left onto VA-55 E to interstate 66

Occupancy: This Conditional Use Permit application is for a 4 bedroom, 6 person short term rental.

Noise: It shall be a violation of the Warren County Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such persons' lawful and peaceful enjoyment of property owned or rented by him. Quiet hours at this property are between 10pm-7am. There are to be no parties or events and no unregistered guests.

Parking: Parking is limited to 4 cars in the driveway.

Trash and Recycling: All trash and recycling shall be placed in containers provided by the owner in the shed in the parking area.

Check-In & Check-Out: An online platform will be used which prescreens all guests through 3rd party ID verification; hosts may further qualify guests with minimum age requirements, previous host feedback/reviews, limit the number of guests, and notice of House Rules which detail expected behavior and care of Property during a guest's occupancy; once a host accepts a reservation, guests are sent a greeting that includes host & property management's full contact detail, property address, and reiterates Host Rules. A second welcome message is sent just prior to the day of check in with the entrance door keypad combination (the last four digits of their cell phone number) and instructions and reiterates Host's Rules and instructs guests to review the Property Guide Book at Property (which includes the wifi information) immediately upon arrival. Property Guide Book includes Host Rules, emergency contact info, wifi information, area detail, Local business recommendations, neighborhood rules, and multiple local brochures and area maps.

Wifi/Phone/Etc.: Property has free internet for guests to access with speeds of X; Property Guide Book will provide log in information. Cell service is also available at the property.

Specific Property Details:

Outside: In advance of bookings, Property shall cite all of the Specific Property Regulations identified below. This would be reiterated at actual time of booking and in Property Guide Book located on premises too.

Property Corners are clearly identifiable and I also own the property adjacent which is completely wooded (and property corners marked); on the other side, there are neighbors. All railings on the deck are to code; deck and all improvements are in good, well-maintained condition.

Inside: In advance of bookings, Property shall cite all of the Specific Property Regulations identified below. This would be reiterated at actual time of booking and in the Property Guide Book located on premise too.

House amenities would include a fully-stocked kitchen, beds with fresh linen service, a washer/dryer, and fully furnished dining room, living room, and two office spaces. HVAC, electric and all plumbing in good well-maintained condition. All windows are in working order and are sized according to code for emergency ingress/egress. House is equipped with smoke detectors, carbon monoxide alarm and two fire extinguishers.

Property inspections would be completed after every stay by the trained cleaning team; inspections include interior & exterior review of the Property for general upkeep and routine MEP maintenance as needed to keep the Property in excellent condition.

Area Attractions:

List area attractions and distance to location. Example provided below.

- Listing and Guide Book shall promote the Property being a short drive to Shenandoah National Park, Golf Courses, Canoe/Kayak/Tubing Companies, downtown shopping and restaurants, grocery stores, drug stores, etc.

- An example of Host's recommendations in the Guide Books, promoting local attractions, restaurants, wineries & breweries is attached.

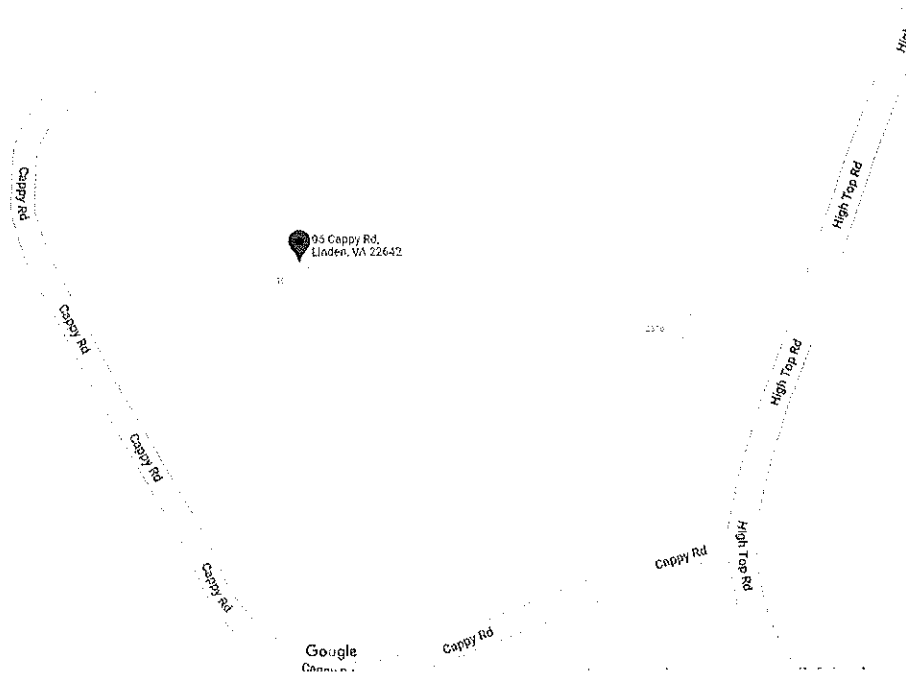
Specific Property Regulations

- No smoking indoors
- No firearms permitted
- No fireworks
- No unattended fires
- No Candles
- No unauthorized guests or pets
- Trash only in the designated area – shed in the parking lot with red metal roof
- No ATVs
- No loud or amplified music
- Parking in designated areas only
-

Attachments

- Property Map
- Host Guide Book

Property Map



Liberty Chalet

Welcome to Liberty Chalet! An A-frame log cabin near the top of Blue Mountain on 2 acres, styled with a patriotic touch. Only a 70-minute scenic drive from Washington DC and Northern VA, 20 minutes to Old Town Front Royal and the Entrance Station to Skyline Drive in Shenandoah National Park.

The cabin is at the end of a long gravel road and you can find parking down our driveway in the front of the house. Two levels of luxury meets rustic cabin charm, with a hot tub, a large two level deck, firepit, grill, cornhole & other games. Upstairs features the master bedroom with ensuite bathroom, an office area and a loft as a second office area. Each office area provides a monitor, desk & chair for ease of remote working. We offer fast wifi at over 200 Mbps, the mountain has spotty cell phone service. The main floor features vaulted ceilings and a wall of windows & French doors facing the backyard. It includes an open concept kitchen, dining room, living room, one full bathroom and two bedrooms. There is a gas grill, fire pit, outdoor dining table, and rocking chairs. The wooden logs on the outside of the house and the deck were refinished in July 2022.

The space

A vaulted ceiling on the main level, spacious & open concept kitchen, dining room and living room with a 65" Smart Roku television, and sound bar for entertainment. We have board games and puzzles to get you through a cold or rainy day. Wood floors and the pine walls/ceiling give this chalet a homey feel with mountain vibes. Wifi information is below:

Network: Liberty Chalet

Password: xxxx

Guest access

Guests can drive in and enter using the code provided to them before check-in. Note: the road and driveway is steep and paved with gravel. 4WD or AWD vehicles are recommended but we have had guests in small 2-wheel-drive sedans without issue. If there is snow or if it is icy you may have issues.

Your front door access code: xxxx

You may arm the home with the ADT system with the same code, xxxx. Please ensure the system is disarmed before opening any doors or windows so that the alarm does not go off.

Dogs (no more than 2) and children under 2 years old are allowed, but no cats. The cabin does not have toddler safety measures such as locks on low cabinets, but there are two baby gates at the property. Smoking is allowed outdoors only. No one else lives on the property.

VERY IMPORTANT: no parties, no additional guests beyond the (up to) 6 guests booked officially through Airbnb. One outdoor security camera on the doorbell shows who is coming and going, but for your privacy, ONLY the driveway and front door are seen. I will know if more than 6 people are on the property and will report to Airbnb. (Sorry, I have to be very upfront with this because my license with the county states all these terms.) Our landscaping is always a work in progress!

The cabin is on a septic system (welcome to mountain living!), please ensure nothing other than toilet paper is flushed down the toilets.

The kitchen sink does not have a garbage disposal so please do not put anything solid down the sink.

Other things to note

Liberty Chalet also provides a full kitchen and washer/dryer. Host does not provide campfire wood but guests will need to drive a short distance for pick up if they choose not to bring their own. Fire starter and charcoal is not provided, guests are advised to bring their own. (Pro Tip: Monterey Service Station, a local convenience store ten minutes away, has all your forgotten provisions just in case, including beer, snacks, and wine!)

Liberty Chalet is perfect for:

- a) a romantic getaway!
- b) an outdoor & nature enthusiasts exciting getaway!
- c) a unique & generous birthday gift!
- d) a remote working sanctuary!
- e) a quiet place for personal reflection
- f) a culinary couples home base after checking out the local wineries, breweries, fantastic distilleries, & restaurants!
- g) a family or couples gathering spot!

Liberty Chalet is NOT suitable for:

- a) smokers (inside)
- b) parties
- e) guests afraid of encountering bugs during their stay. Liberty Chalet is treated for pest and insect control however given this property is located on a mountain, in nature, the occasional bug or spider may be unavoidable and advise guests to adjust their expectations accordingly to their environment. Bring bug spray (or use ours if provided) and don't let these little critters scare you away from an unforgettable vacation! We also provide two dust busters if you prefer to suck up any little critters you may encounter.

As a reminder, check in is at 3:00PM & check out is 11:00AM. Our cleaning team set these times to ensure each property is properly sanitized, stocked and cleaned between each reservation. Please contact your host with your planned arrival time & if you have any special check in needs. I will always try to accommodate guests whenever possible!

During winter weather, guests are provided shovels and assistance whenever possible for help keeping steps, deck and drive clear.

(Note, given booking in the winter months has foreseeable seasonal weather and natural conditions like winter storms, the Airbnb cancellation policy will stay in effect without exception, therefore guests do book with a known risk of inclement weather.)

Things to Do

Before turning onto Freezland Road to go up Blue Mountain, stop by The Giving Tree; a farmer's market with seasonal produce, gourmet groceries, wine, pasture raised meats, fresh eggs, local honey & jam.

The famous Apple House is just minutes away - their Apple Cider donuts are known nationally; their barbecue is great too! Behind Apple House is C&C Treats where they serve amazing ice cream, especially their soft serve.

Here are some of our favorite things to do when we're not just enjoying the hot tub, grilling and eating on the deck or lounging by the firepit:

WINERIES AND VINEYARDS

Liberty Chalet is located down the road (5 minute drive) from Fox Meadow Winery which is nestled on 50 acres of beautiful property overlooking an amazing view of the Blue Ridge Mountains. The surrounding area is full of wineries peppered between gorgeous estate manors. Blue Valley is one of our favorites, with excellent wine and gorgeous grounds and views. Delaplane is a pretty location too, and for the fancy wine tasting experience in an architecturally stunning setting, check out rdV Winery (reservation needed). Our favorite wine is probably the Cabernet Franc at Chester Gap Cellars, which also has one of the most stunning views too, and that is just about 25 minutes from the house.

Check out the Shenandoah Spirits Trail at www.shenandoahspiritstrail.com

HIKING SHENANDOAH NATIONAL PARK & DRIVING SKYLINE DRIVE:

Shenandoah National Park provides a respite from the hustle and bustle of Beltway life. Skyline Drive's overlooks make the Shenandoah National Park arguably one of the best drives in the eastern U.S. Especially to see the amazing fall foliage. The road and the park begin in Front Royal, a 20 minute drive from Liberty Chalet. Along Skyline Drive's scenic roadway are 75 overlooks. Shenandoah National Park has over 500 miles of trails, ranging from the completely flat, anyone-can-do-it (Lumberlost Trail), to the more strenuous (Old Rag). The Appalachian Trail runs for 101 miles in the park, crisscrossing Skyline Drive. You will find several Shenandoah National Park Guides on the bookshelf at the cabin.

HIKING SKY MEADOWS STATE PARK:

Just around the corner, about a 25 drive from the minute house is Sky Meadows State Park, with several trails and great views there.

CANOEING/KAYAKING/TUBING THE SHENANDOAH: They call Front Royal the Canoe Capital of America, but it is fantastic for kayaking and lazy river tubing too! There are two great companies nearby that offer self-guided canoe, kayak, raft and tube trips on the Shenandoah River.

Front Royal Outdoors <https://frontroyaloutdoors.com/> +18002708808

Shenandoah River Outfitters <https://shenandoah-river.com/> +15407434159

DINING AT A HISTORIC INN:

The Ashby Inn is next to Sky Meadows, in Paris, VA. It dates back to the Revolutionary War and has food that is to die for (reservations needed).

EXPLORING HISTORIC TOWNS:

Just around the other corner is Millwood, a lovely town with a fantastic market (Locke Market), beautiful restaurant (the Buttery), both across from an old Mill with picnic area and a waterfall. 20 minutes down the other direction is Upperville, with the Hunter's Head Tavern, with great food and great prices too! Just past Upperville is Middleburg, a super quaint town with its own distillery, plus markets, ice cream shops and even a tasting room nearby (Boxwood).

PICK YOUR OWN FRUIT

Hartland Orchard <https://www.hartlandorchard.com/default3.php>

It is always a good idea to call before you visit for daily changes in crop availability. 540.364.2316

Cherries Late June - ended

Blueberries late June to July

Peaches July, August

Apples September, October

CAVERNS

Skyline Caverns (24 minutes away) and Luray Caverns (50 minutes away) offer educational and exciting daily tours. Luray Caverns is the largest caverns in the eastern United States.

<https://skylinecaverns.com/>

<https://luraycaverns.com/>

HISTORY

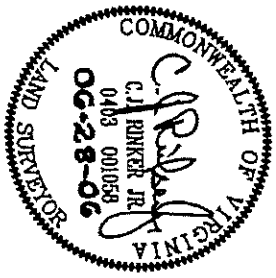
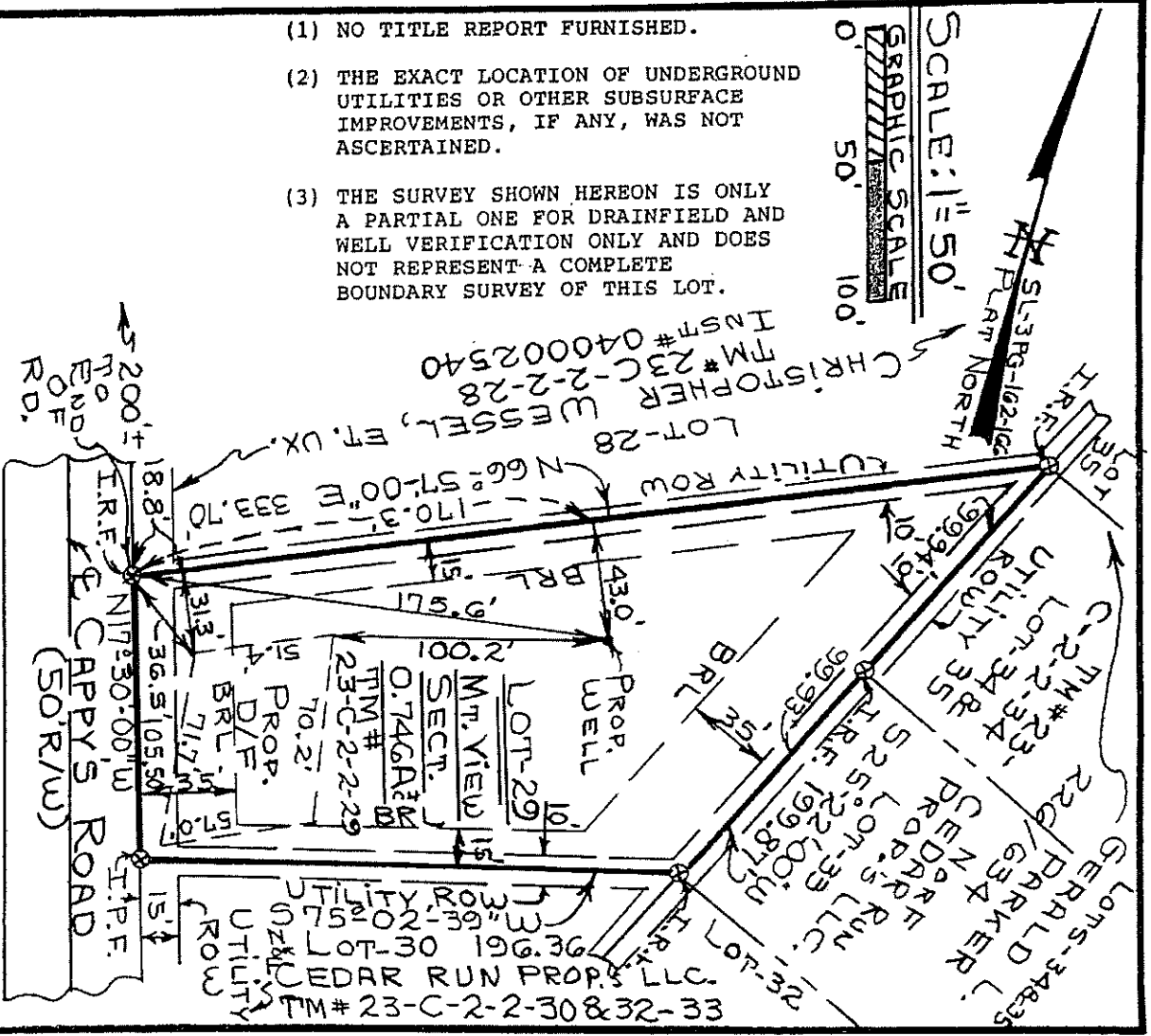
Battle of Front Royal Driving Tour is another option for history buffs! Drive along and follow the progression of the battle where General Nathaniel Banks sent 1,000 men to Colonel John R. Kenly to guard the railroads of Front Royal.

<https://www.frontroyalva.com/DocumentCenter/View/153/The-Battle-of-Front-Royal-Driving-Tour-PDF>

There are ten stops along the way, starting at the Front Royal Visitors Center and ending at Fairview, about five miles away.

- (1) NO TITLE REPORT FURNISHED.
- (2) THE EXACT LOCATION OF UNDERGROUND UTILITIES OR OTHER SUBSURFACE IMPROVEMENTS, IF ANY, WAS NOT ASCERTAINED.
- (3) THE SURVEY SHOWN HEREON IS ONLY A PARTIAL ONE FOR DRAINFIELD AND WELL VERIFICATION ONLY AND DOES NOT REPRESENT A COMPLETE BOUNDARY SURVEY OF THIS LOT.

SCALE: 1"=50'
 GRAPHIC SCALE
 0' 50' 100'



J.O.-2924

Prepared by
CARL J. RINKER AND ASSOC.
 LAND SURVEYORS & LAND PLANNERS
 LAWYERS ROW
 WOODSTOCK, VA. 22664
 PH 540.459.4715

PLAT SHOWING
 PROP. D/F & WELL LOC. ON
 LOT-29, PART-2, MT. VIEW
 SECT., SHEN. FARMS SUBD.
 CEDARVILLE MAG. DIST.,
 WARREN CO., VA.
 EYAL Y. & HANNA KUTNER
 SLIDE-3 PG-162-166 PLAT
 INST.# 060002853

Directions from 96 Cappy Rd. to the Warren County Government Center from Google Maps

← from 96 Cappy Rd, Linden, VA 22642
to WARREN CO GOVERNMENT CENTER, 220 N Co...

23 min (12.1 miles)



via State Rte 647

Fastest route now due to traffic conditions

96 Cappy Rd

Linden, VA 22642

- > Take State Rte 638 to VA-55 W in Linden
9 min (4.0 mi)
- ↪ Turn right onto VA-55 W
2 min (1.5 mi)
- ↪ Turn right onto State Rte 647
5 min (3.1 mi)
- > Continue on Happy Creek Rd to Front Royal
7 min (3.5 mi)
- > Continue on E 3rd St to your destination
34 s (348 ft)

WARREN CO GOVERNMENT CENTER

220 N Commerce Ave, Front Royal, VA 22630

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

List of chemicals stored on site at 96 Cappy Rd

1. Seventh Generation – Disinfecting Multi-surface cleaner
2. Windex
3. Fabuloso Multi Purpose Cleaner
4. Seventh Generation – Dish liquid
5. Tide Pods
6. Sherwin Williams Interior Paint
7. Miniwax – Polyurethane
8. Miniwax – Wood Finish
9. Zinsser – Primer
10. Behr – Primer
11. Valspar Duramax Exterior Paint and Primer

Lord Fairfax Health District



Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



June 30, 2022

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RECEIVED
JUL 05 2022

BY:

RE: Request for Comments (2022-07-01)
Owner: Michelle Moriarty

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 96 Cappy Rd. Linden, VA (Tax Map# 23C-2-2-29) and I offer the following comments:

1. There is a Construction Permit and ROI on file for the referenced property (Lot 617) dated 11/15/1966 & 5/02/1967 respectively.
2. The dwelling is connected to an approved Alternative Onsite Sewage System (AOSS). The AOSS is designed to accommodate Three (3) Bedrooms, Six (6) Occupants and a daily flow of 450 gallons.
3. The owner should be aware that AOSS's require annual maintenance and monitoring by a licensed operator.
4. The dwelling is connected to a Class IIIB private well. A water sample should be collected and analyzed by a state approved laboratory at least annually for the presence/absence of coliform bacteria.
5. All refuse shall be placed in containers with tight-fitting lids.
6. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,



Jim Davis

Environmental Health Supervisor

Chase Lenz

From: David Beahm
Sent: Thursday, June 9, 2022 3:41 PM
To: Chase Lenz
Cc: Veronica Diamond; Paula Fristoe
Subject: Request for Comments 2022-07-01 – Michelle Moriarty – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000194-2022

Comments 2022-07-01 – Michelle Moriarty – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000194-2022:


NOTE: No recent permits have been obtained for this property. The only permits issued were from the original construction in 2006 and those were completed.

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.
- Building Inspections Items:
 - The use of the existing dwelling for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating it as a short-term rental.
 - Given the timeframe that the structure was originally built it may not require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

If anything should change in the scope additional requirements may be required.

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



David C. Beahm, CBO
Building Official

dbeahm@warrencountyva.gov

Warren County Building Inspections Of

220 North Commerce Ave
Suite
Front Royal, VA 22

540/636-9

FAX 540/636-4

www.warrencountyva.gov

Veronica Diamond

From: P.O.S.F BUSINESS <shenandoahfarms@comcast.net>
Sent: Thursday, June 23, 2022 11:42 AM
To: Veronica Diamond; Walker, Ashley; jim.davis@vdh.virginia.gov; Smith, Gregory
Subject: Re: Request for Comments-Michelle Moriarty-CUP 2022-07-01

POSF Inc has no objections to this application.

Respectfully,

Property Owners of Shenandoah Farms

6401 Howellsville Road

Front Royal, VA 22630

(540) 837-2068

On 06/23/2022 9:51 AM Veronica Diamond <vdiamond@warrencountyva.gov> wrote:

Good morning,

Please see attached documents attached for Michelle Moriarty.

CUP2022-07-01

WCCUP-000194-2022

Thank you,

Veronica Diamond

Office Manager



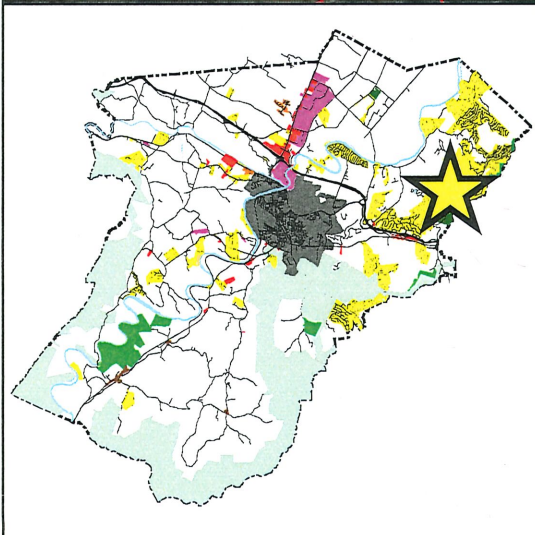
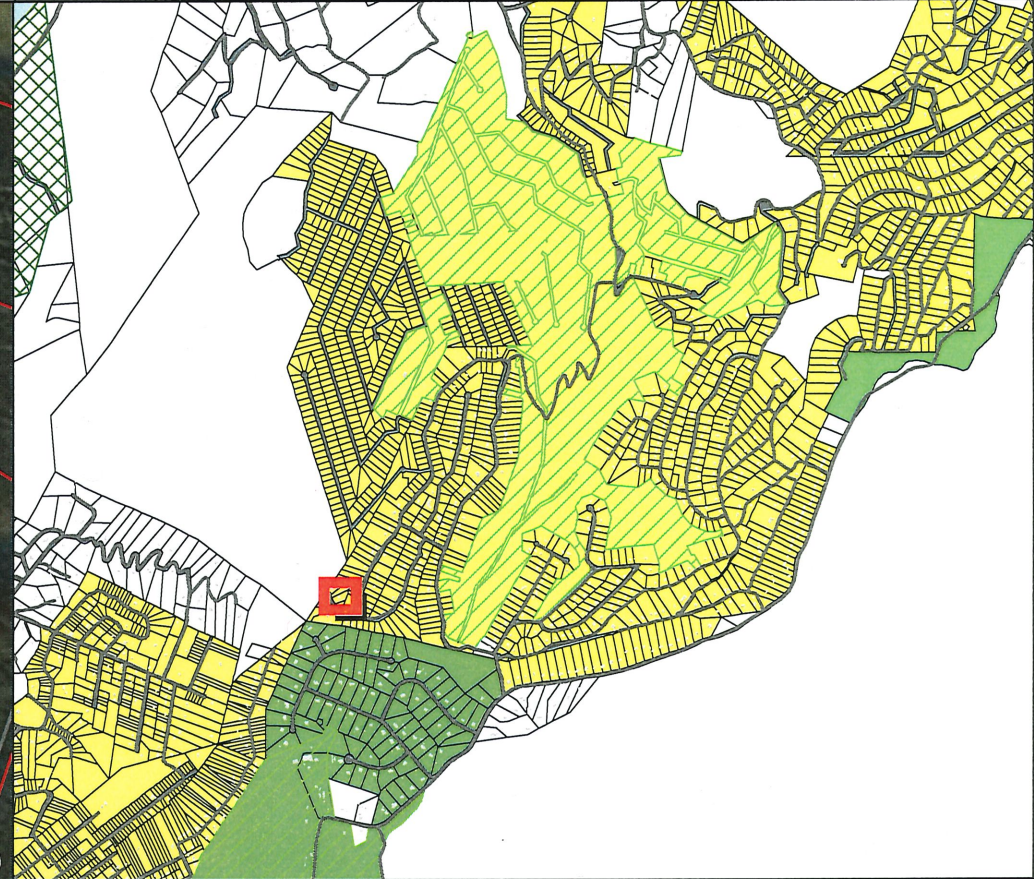
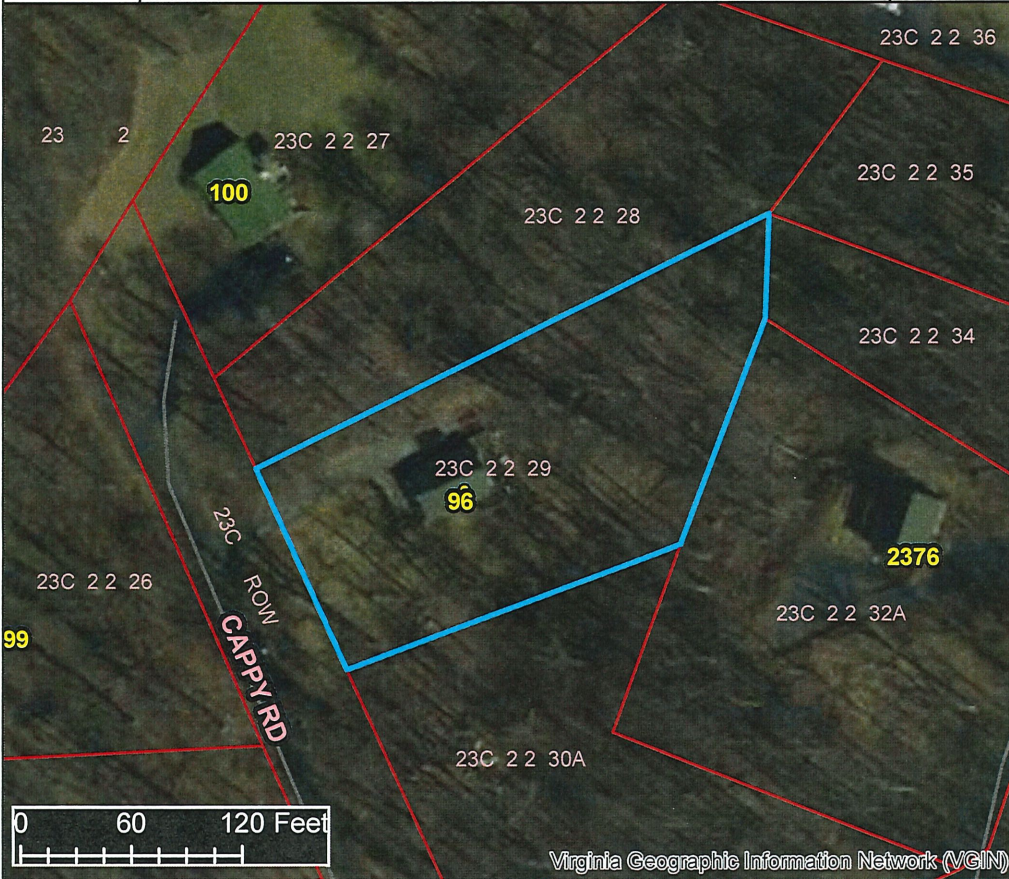
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Michelle Moriarty

TM 23C--2-2--29
96 Cappy Rd



Zoning

- | | |
|----------------------|----------------------------|
| Agricultural | Rural Residential |
| Commercial | Right of Way |
| Industrial | Front Royal |
| Residential One | Federal Land |
| Residential Two | State Land |
| Suburban Residential | Water |
| Village Residential | VOF Conservation Easements |
| | WC Conservation Easements |

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | |
|---------------------------|--------------------------------|---|
| DATE 09/06/2022 | ITEM H-14 | SUBJECT: Conditional Use Permit #2022-07-03 Kendra Hansen, Kathryn Stuart, Simon Sarver, & Michael Cherubin <i>Short-Term Tourist Rental</i> |
|---------------------------|--------------------------------|---|

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- 1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- 2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- 5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- 6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - c) Provide for adequate parking and ingress and egress to public streets or roads.
 - d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - e) Prevent such use from changing the character and established pattern of development of the community.

PLANNING COMMISSION STATUS:

On Wednesday, August 10, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 4-0.


RECOMMENDED CONDITIONS:

Staff recommends that if the Board of Supervisors is going to approve of this request that the following conditions should be applied:

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

| | | |
|---|---|----------------------|
| SUBMITTED BY: Chase Lenz,  Zoning Administrator | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (Describe) | PROCESSED BY: |
|---|---|----------------------|



CL

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a short-term tourist rental for the property they recently purchased in May of 2022. The owners plan to use the property themselves throughout the year, but they would also like to be able to make the property available for short-term lodging for visitors of the Warren County area when they are not occupying it. The applicants will manage the property personally.

PROPERTY INFORMATION

| | |
|---|---|
| Property Location: 97 River Overlook Road | City: Front Royal |
| Tax Map ID: 15H--1---23A | Zoning: Residential-One (R-1) |
| Magisterial District: Shenandoah | Acreage: 4.0099 Acres |
| Subdivision: Shenandoah Farms Subdivision - Camels Back Section | Existing Land Use: Single Family Dwelling |

SURROUNDING ZONING DISTRICTS & USES

| | |
|------------------------------|-----------------------------|
| North: Residential-One (R-1) | Use: Vacant Lot - Woodlands |
| South: Residential-One (R-1) | Use: Single Family Dwelling |
| East: Residential-One (R-1) | Use: Vacant Lot - Woodlands |
| West: Residential-One (R-1) | Use: Single Family Dwelling |

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 1976 and no zoning violations have been recorded for the property.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for residential land uses. A short-term tourist rental is a use allowed by conditional use permit in the Residential-One zoning district and is compatible with the current Warren County Zoning Ordinance.

SUPPLEMENTARY REGULATIONS

Warren County Zoning Ordinance: § 180-56.4: Short-term tourist rentals.

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. **There is a Health Department construction permit and record of inspection on file approving a maximum of six (6) occupants for the dwelling. Documentation has been provided by the applicant requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all rights-of-way and in yards. **There is sufficient parking for at least three vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- I. If the property is located within a subdivision governed by a Home Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. **Comments have been requested from the Property Owners' of Shenandoah Farms.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**

- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.
- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 276' to the south.**

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. *Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.*

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: Kendra Hansen, Kathryn Stuart, Simon Sarver & Michael Cherubin – Owners/Applicants

Dear Warren County Planning Commission,

We would like the approval of our conditional use permit in order to obtain a short term tourist rental license.

We plan to use this property as our main use throughout the year, but would like the option to rent it out to no more than 6 people at a time during the time we are not able to occupy the space.

There is ample surrounding space from the dwelling to our property line and extending through to neighboring dwellings. We plan to be respectful and ensure our guests have quiet hours and also respect any neighbors.

This rental would have a low impact on the community and hopefully provide a getaway for those seeking a quiet, peaceful setting where they can enjoy all of what Front Royal has to offer.

Thank you for your time & consideration,

Kendra Hansen & Simon Sarver

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: CUP 2022-07-03
Date Received: 6/7/2022
Fee Amount: \$ 500.00 ck #121
Date Paid: 6/7/2022

Applicant Information:

Simon Sarver, Kathryn Stuart, Kendra Hansen, Michael Vaughan Cherubin

Applicant Name

97 River Overlook Rd. , Front Royal, VA 22630

Address *City* *State* *Zip*

Property Location for conditional use permit if Different than Applicant's Address

703-509-4300 (Simon); 559-260-0716 (Kendra) kendraehansen@gmail.com ; simon.sarver@gmail.com

Primary Contact Number *Email*

Property Owner (if same as applicant, leave blank)

Address *City* *State* *Zip*

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 97 River Overlook Rd. Front Royal, VA 22630
- (2) Election District: 6
- (3) Tax Map Number: ~~15H-23A~~ 15H-1--23A
- (4) Subdivision Name: Shenandoah Farms Camels Back (Warren County, VA)
- (5) Total Area of Property (acres): 4.01
- (6) Total Area to be Used (acres): 1
- (7) Total Road Frontage (feet): 530 feet
- (8) Depth of Property (feet): It's 512 at it's "deepest" but if you mean depth of the home from the front of the lot (which is more likely what they mean), I have 79 feet.
- (9) Present Zoning: R-1

B. Proposed Use of Property

TOURIST

- (1) State the proposed use(s) for the Conditional Use Permit: Short Term Rental License
- (2) Current land use and condition of site: Residential
- (3) Zoning of surrounding land/property: R-1
- (4) Will development be staged? Yes No
- (5) Construction Time: N/A
- (6) Season, days, and hours of operation: We plan to use the home primarily as a vacation home for us, but would like the opportunity to rent it out on occasion when we are not using it.
- (7) Will there be a sign? Yes No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) No
- (9) Number of full time employees: 0 (we plan to "manage" the short term rentals ourselves)
- (10) What type of sewage disposal system will be used? Private Central Public
- (11) Number of persons to be served by the sewage disposal system: no more than 6 (the home has 3 bedrooms)
- (12) Number of parking spaces to be provided: Regular 3 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
There is abundant tree coverage on all sides of the home. The landscaping will be mostly trees and native plants that are all low maintenance and blend in with the surrounding areas as much as possible.

C. Plans Prepared By

Name: _____

Address: _____

Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____
No, we will institute quiet hours for anyone staying at the home that isn't us.

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____

No, we will leave incredibly detailed instructions on how to dispose of any potential trash or recycling generated.

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____

No

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____

None, the home is on electric heat & cooking, private, self contained well & septic that will be regularly inspected and treated as needed..

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) No _____

(6) What will be the impact on traffic? None _____

(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. No _____

**The following documents and/or information are required
to be submitted with the application:**

An application fee of \$500.00.

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal

A Statement of Justification

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.

A Site Plan/Survey.

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

Sewage Disposal and Well Site.

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

A copy of the deed to the property verifying the current ownership.

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

A statement verifying that real estate taxes have been paid.

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

N/A **Environmental and Community Impact Statements**

The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

N/A **List of chemicals stored on the site**

A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

N/A **Location Map**

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

Directions to your property from the Warren County Government Center.

<https://goo.gl/maps/LLJp6uMs6Z1NTM3T9>

WARREN CO GOVERNMENT CENTER 720 N Commerce Ave, Front Royal, VA 22630

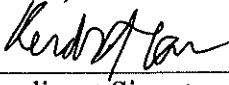
Take E 3rd St to N Commerce Ave

Take Happy Creek Rd and State Rte 624 to State Rte 643

Continue on State Rte 643. Take State Rte 603 and State Rte 638 to River Overlook Rd

97 River Overlook Rd
Front Royal, VA 22630

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature 5/6/22
Date


Property Owner Signature 5/6/22
Date

Accepted by: _____ Date: _____

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

PERMIT TO INSTALL REPAIR, REASONS FOR REJECTION WATER SUPPLY SEWAGE DISPOSAL SYSTEM

(1) Void after (12) twelve months. (2) Automatically cancelled when site conditions are changed from those shown on permit.
 (3) Automatically cancelled should facts later become known that a potential hazard would be created by continuing installation.

FHA/VA Yes No Date 1 Jun 76 Case No. 1

Owner William R. Miller Address 3140 VALLEY LANE Phone 533-1645
(Mailing Address)

Occupant _____ Address FALLS CHURCH, VA. 22044 Phone _____
(Mailing Address)

Exact Location of premises LOT # 23, CAMEL'S BACK SEC, SHEN. FARMS SUB-DIV.
(Subdivision, Street or Road Name, Section or Lot No.)

FOR: Dwelling Other _____ Automatic Washing Machine Yes No Consumption 2600 gal. per day
 Actual Potential Bedrooms 3 MAX. Garbage Disposal Unit Yes No (Actual Estimated Water)
 Additional wastes NONE

(1) WATER SUPPLY (Existing) Class _____ Approved Yes No Other _____
 (To be installed) Class III Cased _____ ft. to be grouted _____ ft.

(Unless supported by positive evidence Class III is to be considered as to be installed.)

SOIL STUDY Naturally drained, suitable by sight Yes No Technical Classification STABLE SHALE
(If Known)

(2) Estimated Percolation Rate 1-10 11-25 26-50 51 Percolation Test Required Yes No Rate _____
(Minutes per inch) (Minutes per inch to nearest 10 minutes)
 Depth to Grey Mottles 230 inches (estimate over 4 ft.) OTHER _____
 Surface drainage required Yes NO OTHER DRAINAGE NONE

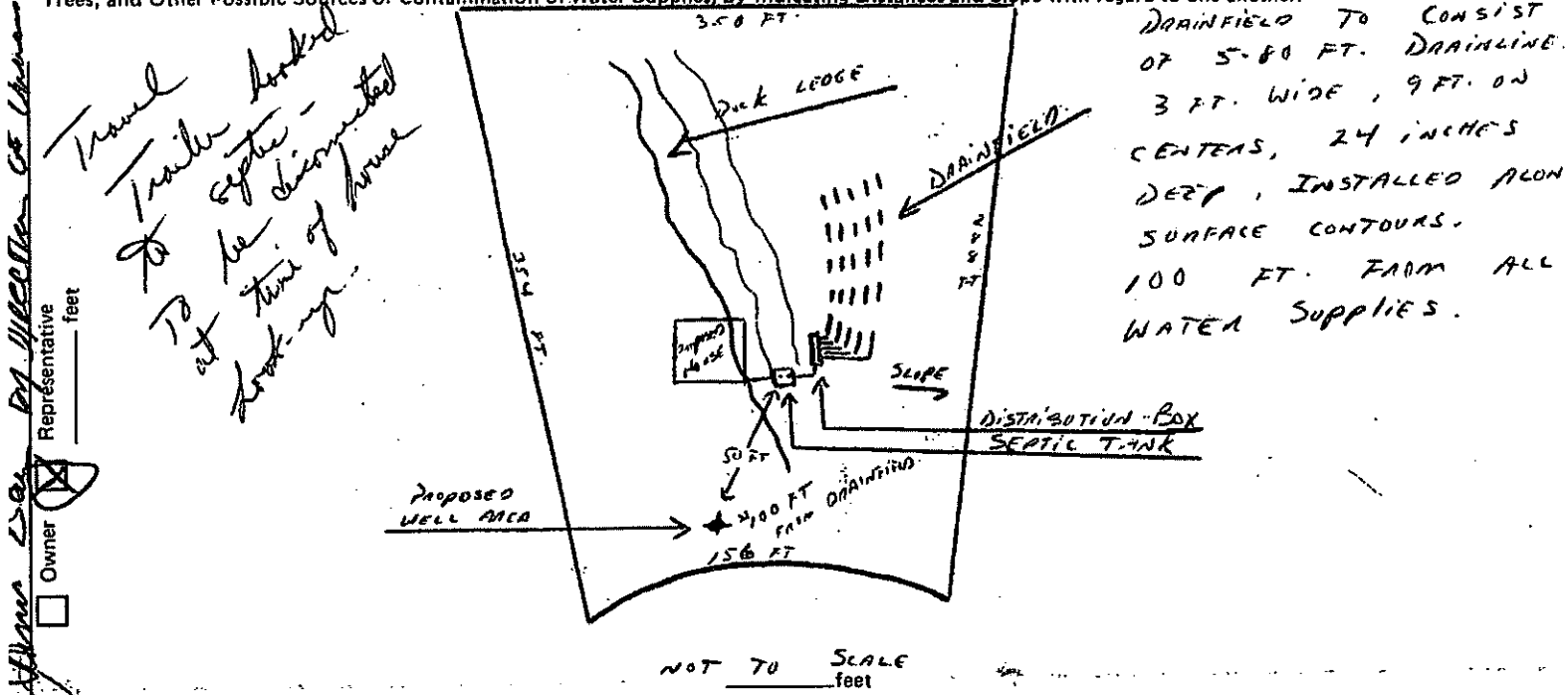
(3) HOUSE SEWER LINE Size 4 inches. Type of material required C.I. Distance from Water Supply _____ feet.
OR COMPARABLE MATERIAL

(4) DETAILS OF CONSTRUCTION Watertight Septic Tank of PRECAST CONCRETE Material Liquid Capacity 1900 gallons.
 Inside Dimensions Length 8 feet, Width 4 feet. Liquid Depth 4 1/4 feet. Depth of Air Space 1 feet.

SUBSURFACE ABSORPTION FIELD Number of square feet required 1200 Type aggregate required #5 STONE

(5) Depth of aggregate from base of tile to bottom of ditches 6 inches. Allowable fall 2 to 4 inches.
 Total aggregate minimum depth 13 inches or more. Depth of drainfield to be 24 inches from surface of original ground.
 Distance from well to septic tank 50 min feet; distance from well to drainfield 100 min feet.

Rough Sketch of Premises (including adjacent properties if pertinent, Showing Location of Lot Line, Buildings, Water Supplies, Sewage Disposal Systems, Trees, and Other Possible Sources of Contamination of Water Supplies, by Indicating Distances and Slope with regard to one another.)



Signature William R. Miller Owner Representative _____

Note: Owner or his agent must notify WARREN CO. Health Department, Phone 635-2775 when installation is ready for inspection. If any Sewage Disposal System, or part thereof, is covered before being inspected by the Health Department, it shall be uncovered at the direction of the Health Director or his agent. CONDITIONS DISCOVERED DURING INSTALLATION MAY REQUIRE ADJUSTMENTS OF SYSTEM DESIGN. Changes from above specifications require Health Department approval before being made.

Based on the above information, the undersigned recommends that this permit be issued.
 Date _____ Approved _____ (Reviewing Authority) Date 1 Jun 76 Signed T. M. Lee (Sanitarian or Health Director)

Lord Fairfax Health District

Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



June 14, 2022

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RE: Request for Comments (2022-07-03)

Owner: Simon Sarver, Kathryn Stuart, Kendra Hansen, Michael Vaughan Cherubin

Dear Mr. Wendling,

I have reviewed your request for comments regarding the property at 97 River Overlook Rd. Front Royal, VA (Tax Map# 15H-1-23A) and I offer the following comments:

1. There is a Construction Permit and ROI on file for the referenced property dated 6/1/1976 and 7/22/1976 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed for Three (3) Bedrooms, Six (6) Occupants and 450 gallons per day.
3. The dwelling is connected to a private well. A water sample should be collected and tested at least annually for the presence/absence of coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,


Jim Davis
Environmental Health Supervisor

RECEIVED
JUN 22 2022

BY:

Veronica Diamond

From: David Beahm
Sent: Thursday, June 9, 2022 5:10 PM
To: Matt Wendling
Cc: Chase Lenz; Veronica Diamond; Paula Fristoe
Subject: Request for Comments 2022-07-03 – Simon Sarver, Kathryn Stuart, Kendra Hansen and Michael Vaughan Cherubin – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000196-2022

Comments 2022-07-03 – Simon Sarver, Kathryn Stuart, Kendra Hansen and Michael Vaughan Cherubin – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000196-2022:

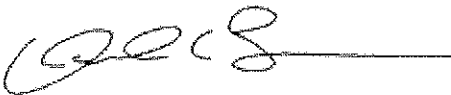
- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.

- Building Inspections Items:
 - The use of the existing dwelling(s) for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - Given the timeframe that the structure was originally built it more than likely will require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

If anything should change in the scope additional requirements may be required.

*****Please Note that Warren County is in the transition of moving to a NEW “.gov” Email Address – both email addresses will work during the transition period, but please update our contact information as soon as possible. Additionally, with the transition already moving forward some of your emails may go to our spam folders and some of ours will go to your spam filters. If you are not receiving information that you have expected from us or not gotten a response to something that you may have sent, please contact our office by phone to notify us so that we can attempt to address quickly.*****

Respectfully,



Warren County Building Inspections

David C. Beahm, CBO
Building Official

220 North Commerce /

Sui

Front Royal, VA

540/636

dbeahm@warrencountyva.gov

www.warrencountyva.gov

FAX 540/636

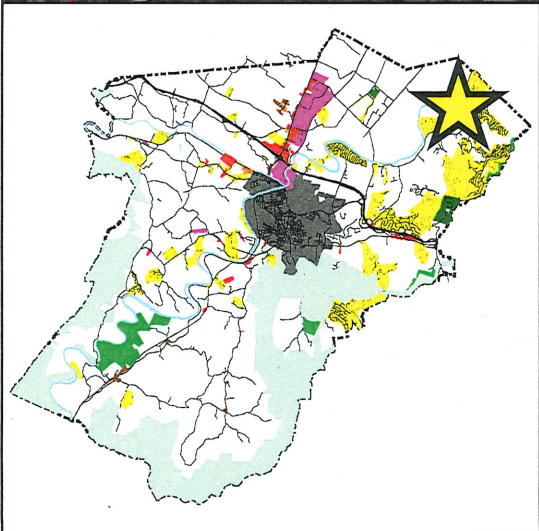
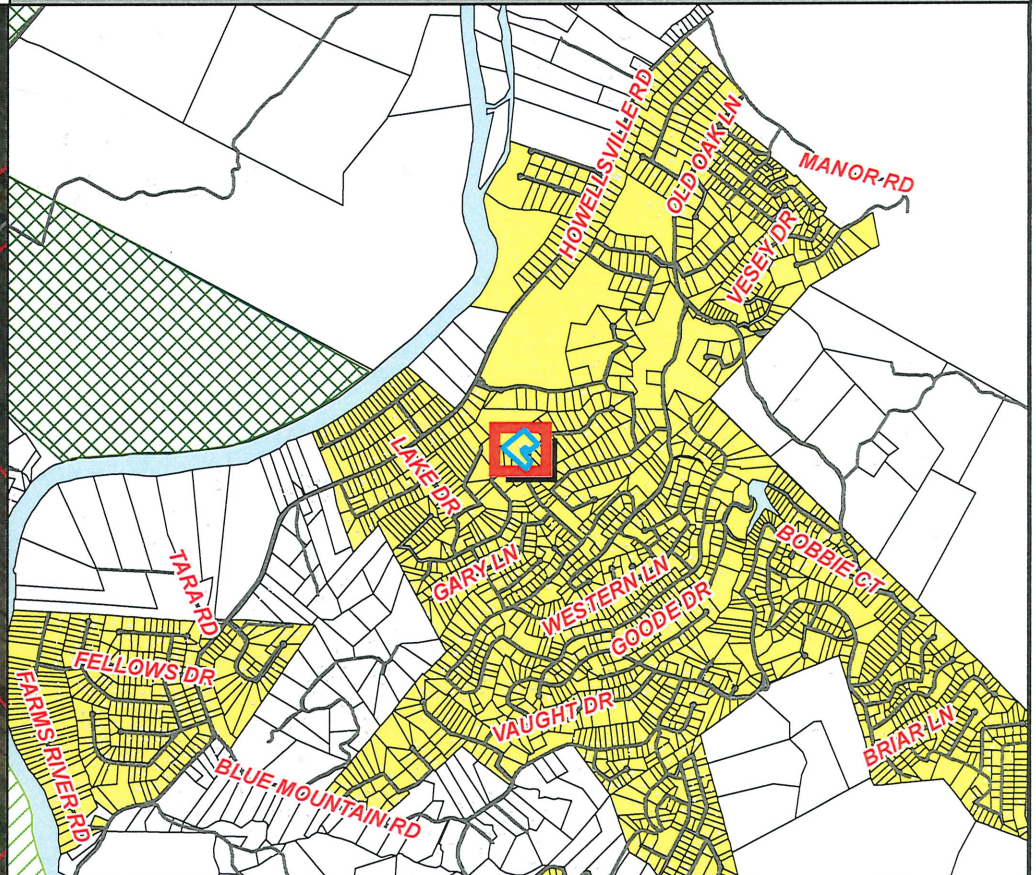
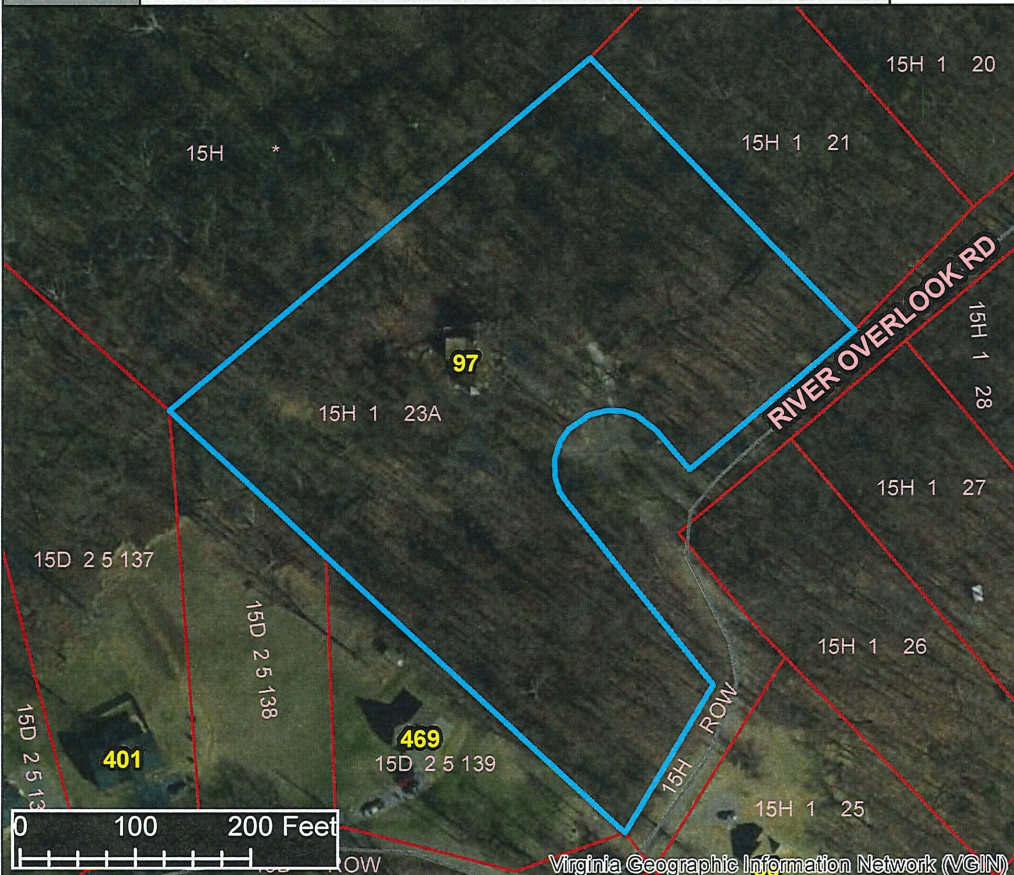
Warren County VA

CUP Location Map



Short Term Tourist Rentals
Applicants: Kendra Hansen

TM 15H--1---23A
97 River Overlook Dr



Zoning

- | | |
|----------------------|----------------------------|
| Agricultural | Rural Residential |
| Commercial | Right of Way |
| Industrial | Front Royal |
| Residential One | Federal Land |
| Residential Two | State Land |
| Suburban Residential | Water |
| Village Residential | VOF Conservation Easements |
| | WC Conservation Easements |

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| DATE | ITEM | SUBJECT: | PAGE |
|-------------|-------------|---|-------------|
| 9/06/2022 | H-15 | Conditional Use Permit #2022-07-04 CAZA Legacy LLC <i>Short-Term Tourist Rental</i> | 1 of 2 |

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- (4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- (5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- (6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - (a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - (b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - (c) Provide for adequate parking and ingress and egress to public streets or roads.
 - (d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - (e) Prevent such use from changing the character and established pattern of development of the community.




Conditional Use Permit: 2022-07-04/ Short Term Tourist Rental

CAZA Legacy LLC, Applicant/ Owners

Staff Report for the Planning Commission

Prepared: July 1, 2022 Revised: August 4, 2022

Staff: Matt Wendling, *Planning Director/County Floodplain Manager* 

SUMMARY OF REQUEST

The applicants purchased this property as an investment property and currently are renting the property long-term for over 30 days since purchasing it in February 2022. They do intend to use it at time for themselves as a get-away from their homes in Northern Virginia. The applicants are requesting a waiver to the setback requirement of 100' from dwelling to dwelling; the dwelling to the west is 50' and the applicants has submitted a letter from their neighbor giving his support of the application. The applicants will be contracting a local property management company to maintain the property and as realtors they will be marketing and managing the rental.

PROPERTY INFORMATION

| | |
|--|---|
| Property Location: 241 Wildcat Dr. | Town/Village: Front Royal |
| Tax Map ID: # 22A-2-2-Parcel 33 | Zoning: Residential One (R-1) |
| Magisterial District: Shenandoah | Acres: 1.06 |
| Subdivision: Aspen Hill Farms | Existing Land Use: Single-Family Dwelling |
| Special Flood Hazard Area: The dwelling is in a non-Flood zone "X" area. | |

SURROUNDING ZONING DISTRICTS & USES

| | |
|------------------------------|-----------------------------|
| North: Residential One (R-1) | Use: Single-Family Dwelling |
| South: Agricultural (A) | Use: Single-Family Dwelling |
| East: Residential One (R-1) | Use: Single-Family Dwelling |
| West: Residential One (R-1) | Use: Single-Family Dwelling |

PROPERTY HISTORY

The former owner of this property was issued a conditional use permit (2016-04-01 Susan Signorella) for a short-term tourist rental in June of 2016 by the Board of Supervisors. She never established the use and the permit expired after two years. At that time the neighbor provided a letter to the Planning Commission and BOS expressing his support for the land-use request even though it was 50' away.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for Residential One (R-1) land uses which allows for a Short-term Tourist Rental by conditional use permit in the Warren County Zoning Ordinance Section §180-23. Short-term Tourist Rentals provide transient-lodging taxes to the County and are typically used by tourists visiting the area. This use complies with Chapter 6: Economic Development chapter, Goal V and the promotion of tourism objectives of the comprehensive plan.

PROPOSAL:

A Short-Term Tourist Rental is defined by the Warren County Zoning Ordinance as, "A single-family dwelling not attached to any other dwelling by any means and located on an individual lot that is rented for compensation for periods of less than 30 days. See § 180-56.4 for supplementary regulations pertaining to short-term tourist rentals."

SUPPLEMENTARY REGULATIONS FOR SHORT-TERM TOURIST RENTAL (Section 180-56.4 of the Warren County Zoning Ordinance):

These regulations are as follows:

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. The applicant has provided the Health Department records which allow for a 2 bedroom and four-person occupancy for the dwelling. A request for comments has been sent to the WC Health Department to verify the septic system and occupancy approved for the dwelling based on their records review.
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all right-of-ways and in yards. There is sufficient parking for two vehicles in the driveway.
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. The boundary lines shall be marked according to location shown on the survey.
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. A change of use for a transient boarding facility for the property dwelling and an inspection will be required to verify if it meets all Building Code requirements for fire/smoke protection and a fire extinguisher.
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers

shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. A Property Management Plan will need to be submitted and will be reviewed and approved by staff with all other requirements shall need to be met prior to a certificate of zoning for the business being issued.

- I. If the property is located within a subdivision governed by a Home-Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. This property is in the Aspen Hill Farms subdivision and a letter has been sent to the POA contact.
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. The applicant shall have this posted in the bedrooms and in their guest registration packet.
- L. A copy of Chapter §123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. The applicants shall have a copy of this in their guest registration packet and have it posted in a common area of the dwelling.
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in Warren County Code Section §180-63.
- N. All outdoor burning shall comply with Chapter §92 of the Warren County Code.
- O. There shall be a minimum of 100 feet from the short-term tourist rental to all neighboring residences. The applicant is requesting a waiver since the dwelling location doesn't meet the setback requirements to adjacent single-family dwellings; the dwelling to the west is 50'. The other adjacent dwelling meets the required setback. County Planning staff does have concerns for supporting this request for the waiver due to the precedence it would set in the Residential One (R-1) zoning district, but the neighbor has submitted a written letter of support in this case.

RECOMMENDED CONDITIONS:

Staff recommends that, if the Planning Commission recommends approval of this application, the following conditions should be applied:

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed **four (4)** as determined according to the Health Department conditional/operational permit which needs to be issued for a **two-bedroom** dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.

4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the subdivision road shall be prohibited.
7. Outdoor burning and the use of fireworks by guests shall be prohibited.
8. A waiver to the required setback of 100' to the adjacent property dwelling shall be granted for the existing 50' setback to the dwelling west of the subject property.
* Waiver has been requested by the applicant.

Cc: CAZA Legacy LLC, Applicants



Figure 1 CAZA Legacy LLC Single-Family Dwelling

WARREN COUNTY
CONDITIONAL USE PERMIT APPLICATION

Application Number: CUP2022-0704
Date Received: 6-27-22
Fee Amount: \$ 500
Date Paid: 3348 - 6/14/22 mail

Applicant Information:

CAZA Legacy LLC
Applicant Name

11700 Plaza America Dr Reston Va 20190
Address City State Zip

241 Wildcat Dr Front Royal Va 22630
Property Location for conditional use permit if Different than Applicant's Address

Rob Chevez & Erin Kavanagh rob@thecazagroup.com
erin@thecazagroup.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

(for immediate attention call Kayla James 304)579-7020)
Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 241 Wildcat Dr Front Royal Va/Lot 33 sec 2
- (2) Election District: Shenandoah
- (3) Tax Map Number: 22-A-2233
- (4) Subdivision Name: Aspen Hill Farms
- (5) Total Area of Property (acres): 1
- (6) Total Area to be Used (acres): 1
- (7) Total Road Frontage (feet): _____
- (8) Depth of Property (feet): _____
- (9) Present Zoning: R-1

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short term vacation Rental
- (2) Current land use and condition of site: Cleared, cleared, fully maintained
- (3) Zoning of surrounding land/property: n/a?
- (4) Will development be staged? Yes No
- (5) Construction Time: Done
- (6) Season, days, and hours of operation: _____
- (7) Will there be a sign? Yes No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) Yes, see attached
Susan Signorella - 03/2016
- (9) Number of full time employees: N/A
- (10) What type of sewage disposal system will be used? Private Central Public
- (11) Number of persons to be served by the sewage disposal system: _____
- (12) Number of parking spaces to be provided: Regular 4 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
40 bushes were installed around property

C. Plans Prepared By

Name: Kayla James
Address: 32 Cheerful Faye Dr Inwood WV 25428
Telephone Number: 304) 579 7020

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____
NO

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____

Regular Trash Pick up

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____

NO

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____

NO

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____

NO

(6) What will be the impact on traffic? _____

NO

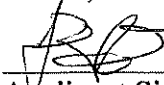
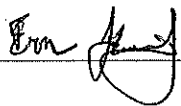
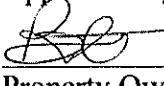
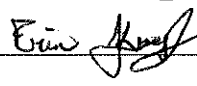
(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. _____

nothing besides outdoor
lights - 75 watts max

**The following documents and/or information are required
to be submitted with the application:**

- An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.
- A Site Plan/Survey.**
Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.
- Sewage Disposal and Well Site.**
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.
- A copy of the deed to the property verifying the current ownership.**
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.
- A statement verifying that real estate taxes have been paid.**
This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.
- Environmental and Community Impact Statements**
The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.
- List of chemicals stored on the site**
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.
- Location Map**
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.
- Directions to your property from the Warren County Government Center.**
241 Wildcat Dr to 220 N Commerce Ave
(13 mins w/o traffic) • take wildcat to
state Rte 624
• Continue on state Rte 624 • take Happy
creek Rd to 3rd St in Front Royal (5.1 miles)
Continue on E 3rd St to final destination

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.

| | | |
|---|---|----------------|
|  |  | <u>6/14/22</u> |
| Applicant Signature | | Date |
|  |  | <u>6/14/22</u> |
| Property Owner Signature | | Date |

Accepted by: _____ Date: _____

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

Lord Fairfax Health District

Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



July 08, 2022

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RECEIVED
JUL 11 2022

BY:

RE: Request for Comments (2022-07-04)
Owner: CAZA Legacy, LLC

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 241 Wildcat Dr. Front Royal, VA (Tax Map# 22A-2-2-33) and I offer the following comments:

1. There is a Construction Permit and ROI on file for the referenced property dated 9/26/1973 & 3/18/1974 respectively. A repair permit was issued on 2/11/2015 and the repairs were inspected and approved 2/27/2015.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed to accommodate Two (2) Bedrooms, Four (4) Occupants and a daily flow of 400 gallons.
3. The dwelling is connected to a Class III private well. A water sample should be collected and analyzed by a state approved laboratory at least annually for the presence/absence of coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,



Jim Davis
Environmental Health Supervisor

Veronica Diamond

From: David Beahm
Sent: Monday, July 25, 2022 1:47 PM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: Request for Comments 2022-07-04 – CAZA Legacy, LLC. – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000199-2022

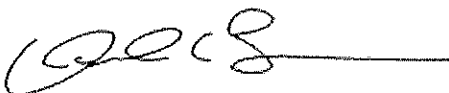
Comments 2022-07-04 – CAZA Legacy, LLC. – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000199-2022:

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.

- Building Inspections Items:
 - This dwelling(s) was previously authorized for a "short-term rental", but never completed (540-2016) a final inspection. The issue was that the smoke detectors were not approved because they were not inter connected. No request was ever made to inspect the location so that it could be verified. A new permit will be required to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - An Electrical permit may be required for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

If anything should change in the scope additional requirements may be required.

Respectfully,



Warren County Building Inspections

David C. Beahm, CBO
Building Official

220 North Commerce /
Sui
Front Royal, VA

dbeahm@warrencountyva.gov

www.warrencountyva.gov

540/636
FAX 540/636

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

Statement of Justification: "Sapphire Ridge"

241 Wildcat Drive Front Royal VA 22630, is a beautifully renovated chalet style home built in 1976. The home is situated on just over 1 acre in the Aspen Hills Farms Neighborhood. It is the owner's CAZA Legacy LLC (Robert Chevez and Erin Kavanagh) intent to offer the property for rent on multiple short term rental sites. The tenants will be chosen carefully on a planned and methodical basis. We intend to offer it as a romantic getaway or small family retreat as the property has 2 bedrooms and 1 bath. Only 1002 sq. ft.

By right the property can currently be rented on a minimum of one month at a time according to planning and zoning. The property will also be used a second home for the owners to enjoy all that Front Royal and surrounding areas have to offer. The owners live in Reston, VA and Purcellville VA respectively about 45 to an hour away from the property.

It is our understanding that the property had a permit for short term rental for the period of 2016-2018 however was never used and expired. We would like to obtain this once again.

Sapphire Ridge:

1. The owners desire is to have a place for family to go as a second home and to share the property so others can explore the amenities of the local area.
2. The owners will market the property online through several websites. The maximum number of guests would be 6.
3. The Home sits on 1.06 acres, in the Aspen Hills Farm community. The road is maintained by the county. There is currently no Property owners Association according to the current owners.
4. Sapphire ridge will be equipped with fire extinguishers, smoke detectors, carbon monoxide detectors and will have the boundaries clearly marked.

Operations:

1. The owners will hire a management company from the local area to help maintain the property between tenants. Cleaning and Landscaping.
2. The owners intend to maintain the properties, point of contact for garbage cleanup, unruly tenants, and utility issues. We want to continue to maintain the integrity of the community.

Marketing Plan:

1. The owners will market the property on Airbnb.com, VRBO.com and social media who intend on visiting the area.
2. Rental fees will vary depending on season, demand, and competition. We intend to maintain the integrity of the community around us.

Contact Information:

1. Robert Chevez. 7035870995, rob@thecazagroup.com
2. Erin Kavanagh, 7034318310, erin@thecazagroup.com

Emergency Evacuation Plan.

1. In case of emergency there are 2 exits to the property. Side door through kitchen and front door near main bedroom to driveway. The property can be exited by driveway to Wildcat Dr. to Howellsville Rd. to the east or west.
2. To Warren Memorial Hospital Emergency Room: Approx 10 min drive. Left from Wildcat Rd. to Howellsville Rd. Left on Happy Creek Rd. Left on Leach Run Parkway, Left on Valley Health Parkway.
3. To Valley Health Urgent Care: Approx: 18 min drive. From Wildcat left on Howellsville Rd. to right on St Rt. 624, To left on St. Rt. 661, to left on 658, to left on 522, to right on Riverton Commons.

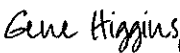
To: Warren County Planning Commission
From: Gene Higgins
Date: 6/13/22

To Whom it may concern,

I, Gene Higgins, am the property owner of 219 Wildcat Dr, adjacent to the property in question.

I strongly agree with 241 Wildcat to be approved for short-term rental. I acknowledge that this property is not at the 100' offset as desired and still would like to push for approval.

Respectfully,
Gene Higgins

DocuSigned by:

F80973AC3A104AE... 6/14/2022 | 8:07 AM EDT

COUNTY OF WARREN



County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Phone: (540) 636-4600

FAX: (540) 636-6066

Email: dstanley@warrencountyva.net

Douglas P. Stanley
County Administrator

CONDITIONAL USE PERMIT 2016-04-01

NAME: Susan Signorella

ADDRESS: 241 Wildcat Drive, Front Royal, VA 226309

PROPERTY DESCRIPTION: Located in the Shenandoah District, identified on Tax Map 22A, Section 2, Block 2 as Parcel 33, and Zoned Residential One (R-1).

AUTHORIZED USE: Short-term Tourist Rental

CONDITIONS:

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections regulations and requirements and Virginia Statewide Fire Prevention Code.
2. The maximum number of occupants shall not exceed four (4) as determined according to the Health Department permit for a two (2) bedroom dwelling with a maximum occupancy of four persons at 400 gallons per day (GPD).
3. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning Department and Health Department.
4. The applicant shall have the septic system inspected annually by a DPOR licensed inspector and a copy of the results shall be submitted to the Planning Department and Health Department. The system shall also be pumped every five years as recommended by the Health Department.
5. The property shall be in compliance with Section 180-56.4 of the Warren County Zoning Ordinance regarding supplemental regulations for short-term tourist rentals which includes a property management plan to be submitted to the Planning Department prior to staff issuing a certificate of zoning for this use.
6. The applicant shall register with the Commissioner of the Revenue's office for transient lodging tax purposes.
7. The woodstove chimney shall be cleaned and serviced on an annual basis by certified chimney sweep.

BOARD OF SUPERVISORS

CHAIR

Linda P. Glavis
South River
District

VICE-CHAIR

Archie A. Fox
Fork
District

Tony F. Carter
Happy Creek
District

Daniel J. Murray, Jr.
North River
District


Thomas H. Sayre
Shenandoah
District

Front Royal-Warren County
Rivers of Opportunity-Mountains of Success

8. A waiver to the required setback of 100' to the adjacent property dwelling shall be granted for the existing 50' setback to the residence southwest of the subject property.

DATE PERMIT EXPIRES: THIS PERMIT WILL EXPIRE ON JUNE 21, 2018
UNLESS THE USE HAS BEEN ESTABLISHED OR IF THE USE IS DISCONTINUED
FOR A PERIOD OF TWO YEARS OR LONGER.

DATE APPROVED BY BOARD OF SUPERVISORS:


DOUGLAS P. STANLEY
COUNTY ADMINISTRATOR

cc: Commissioner of the Revenue

Veronica Diamond

From: Sylvia Noland <sylviamnoland@gmail.com>
Sent: Wednesday, August 10, 2022 8:57 AM
To: Veronica Diamond
Cc: Matt Wendling
Subject: Planning Commission Public Hearing-CAZA Legacy LLC

To whom it may concern,

This is in regards to CAZA Legacy LLC's requested permit for short term tourist rental: 241 Wildcat Drive

I would like to voice my opinion and ask that the permit be DECLINED.

Concerns:

***Road conditions:**

The road on Wild Cat drive is not in the best shape. Having more travelers up and down the road may add to poor conditions.

Also, the a lot of the homes share the road with wild animals, family pets, and livestock. We already have a concerning issue with drivers coming up and down the roads to quickly and animals being hurt and or killed. Adding drivers to the road who are unfamiliar with the area would increase the dangers for our wildlife etc.

***Property Safety:**

My 2 lots and home are on the conjoined Property line with the requested tourist rental property line.

I feel that this is a liability and safety concern for my home and land.

1. If someone decides to walk the land between the properties and gets hurt on the moutain, I am now liable for injuries as the Property owner. I do not want strangers to think the woods below the house are apart of the rental and leave trash or site walk.
2. Safety concerns for me and my home. I am a single female. Inviting strangers into the house above mine is a little concerning. It is an easy walk through the woods to any one of our homes adjacent to the home requesting permits for tourist. This is potential for crime and unwanted guest on our properties.
3. Noise. This neighborhood is so peaceful and one of the appealing parts of purchasing my home out here was that there was little to be distrupted. If tourist are granted in the house conjoined to my property line, there is potential for noise disturbance and would take away one of the main reasons why I love where I live.

Thank you for taking my concerns into consideration. I apologize that they are not in favor for the applicant. I feel that the integrity and safety of my property is at steak here.

Sylvia Noland
103 Bens Court

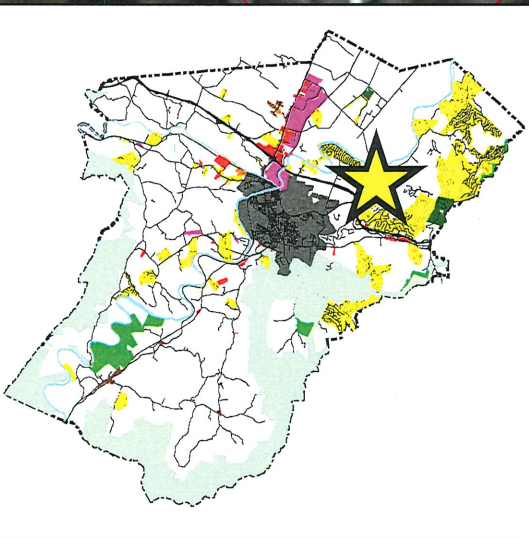
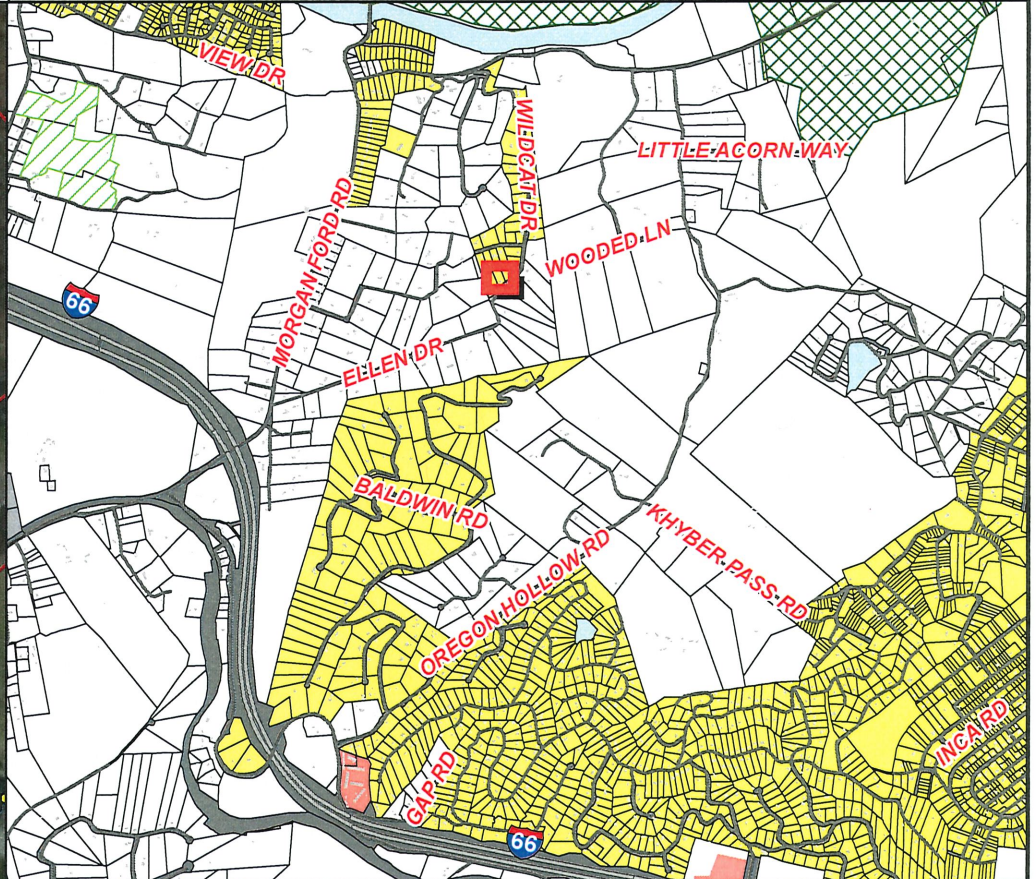
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: CAZA Legacy LLC

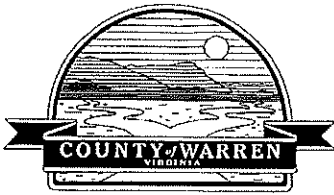
TM 22A--2-2--33
241 Wildcat Drive



Zoning

- | | |
|----------------------|----------------------------|
| Agricultural | Rural Residential |
| Commercial | Right of Way |
| Industrial | Front Royal |
| Residential One | Federal Land |
| Residential Two | State Land |
| Suburban Residential | Water |
| Village Residential | VOF Conservation Easements |
| | WC Conservation Easements |

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | |
|---------------------------|----------------------------|---|
| DATE 09/06/2022 | ITEM H-16 | SUBJECT: Conditional Use Permit #2022-07-05 Matthew Williams & Jay Gilbert <i>Short-Term Tourist Rental</i> |
|---------------------------|----------------------------|---|

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- 1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- 2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- 5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- 6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - c) Provide for adequate parking and ingress and egress to public streets or roads.
 - d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - e) Prevent such use from changing the character and established pattern of development of the community.

PLANNING COMMISSION STATUS:

On Wednesday, August 10, 2022, Mr. Henry moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 4-0.


RECOMMENDED CONDITIONS:

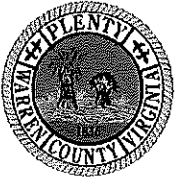
Staff recommends that if the Board of Supervisors is going to approve of this request that the following conditions should be applied:

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

| | | |
|---|---|----------------------|
| SUBMITTED BY: Chase Lenz,  Zoning Administrator | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (Describe) | PROCESSED BY: |
|---|---|----------------------|



Conditional Use Permit: 2022-07-05 / Short-Term Tourist Rental

Matthew Williams & Jay Gilbert, Current Owners/Applicants

Prepared: June 28, 2022 Revised: July 27, 2022

Staff Contact: Chase Lenz, Zoning Administrator

CL

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in April of 2021. The owners would like to help offset the costs of owning a second home by making the property available for short-term visitations for guests seeking to enjoy the wineries, hiking trails, and other natural attractions of the Shenandoah Valley area. The applicants plan to manage the property personally with assistance from local professional services for cleaning and landscaping.

PROPERTY INFORMATION

Property Location: 244 Delicious Road
Tax Map ID: 22B----S--42
Magisterial District: Happy Creek
Subdivision: Apple Mountain Lake North

City: Linden
Zoning: Residential-One (R-1)
Acres: 1.14 Acres
Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Residential-One (R-1)
South: Residential-One (R-1)
East: Residential-One (R-1)
West: Residential-One (R-1)

Use: Single Family Dwelling
Use: Vacant - Woodlands
Use: Single Family Dwelling
Use: Single Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential-One zoning district. The dwelling was constructed in 2004 and no zoning violations have been recorded for the property.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for residential land uses. A short-term tourist rental is a use allowed by conditional use permit in the Residential-One zoning district and is compatible with the current Warren County Zoning Ordinance.

SUPPLEMENTARY REGULATIONS

Warren County Zoning Ordinance: § 180-56.4: Short-term tourist rentals.

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. **There is a Health Department operation permit on file approving six (6) occupants for the dwelling. Documentation has been provided by the applicant requesting a maximum of six (6) occupants. Warren County Assessment data lists three (3) bedrooms in the dwelling.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all rights-of-way and in yards. **There is sufficient parking for at least three vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuance of the Certificate of Zoning.**
- I. If the property is located within a subdivision governed by a Home Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. **Comments have been requested from the Apple Mountain Lake North POA.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**

- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.
- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 119' to the northeast.**

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. *Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.*

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: Matthew Williams & Jay Gilbert – Owners/Applicants

Statement of Justification - 244 Delicious Rd.

My partner and I purchased 244 Delicious about one year ago and have enjoyed it as a second home. After recently selling our place in Chicago, IL, we have moved to the area nearly full time, working remotely or in Washington, DC where we own a small car rental business. We spend much of our time at 115 Lonesome Flats (also in Warren County) where we are bringing life back to one of the areas original log cabins. We would like to offer 244 Delicious Rd. as a short-term rental to share the areas natural attractions, wineries, and hiking.

We plan to offer the space only to those that are courteous and mindful of the neighbors. As nearby residents and managers, we'll be responsive to any issues and focused on ensuring our guests have a safe and enjoyable experience in a way that doesn't impede the expected peace and quiet of the neighborhood. In addition to standard processes in place with online platforms, we use outdoor cameras at all entrances to the property as well a sound monitoring device and service that notifies us immediately if a party or other continuous loud noise is present.

We plan to self-manage the property, but will have additional local contacts with a fantastic and local cleaning and lawn care team that will be available in case of emergencies.

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-07-06
Date Received: 6/15/2022
Fee Amount: \$ 500.00
Date Paid: 6/15/2022 Ch# 1092

Applicant Information:

Matthew Williams & Jay Gilbert
Applicant Name

115 Lonesome Flats Rd Front Royal VA 22630
Address City State Zip

244 Delicious Rd Linden VA 22642
Property Location for conditional use permit if Different than Applicant's Address

330-705-2836 mattwilliams3218@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 244 Delicious Rd.
- (2) Election District: _____
- (3) Tax Map Number: 22B-5-42
- (4) Subdivision Name: Apple Mountain Lake
- (5) Total Area of Property (acres): 1.14
- (6) Total Area to be Used (acres): 1.14
- (7) Total Road Frontage (feet): 582.11
- (8) Depth of Property (feet): 212.26
- (9) Present Zoning: Residential

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short Term Rental
- (2) Current land use and condition of site: Residential
- (3) Zoning of surrounding land/property: Residential
- (4) Will development be staged? Yes No
- (5) Construction Time: none
- (6) Season, days, and hours of operation: year - round
- (7) Will there be a sign? Yes No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) _____

- (9) Number of full time employees: _____
- (10) What type of sewage disposal system will be used? Private Central Public
- (11) Number of persons to be served by the sewage disposal system: 6
- (12) Number of parking spaces to be provided: Regular 3 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
Thick treeline and/or wooded area serves as a buffer
from neighboring properties

C. Plans Prepared By

Name: _____
Address: _____
Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____
None

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) Trash and recycling will be disposed of by owners and cleaning team on a regular basis.

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) None

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. None

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) None

(6) What will be the impact on traffic? Minimal - no additional traffic versus full time residence.

(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. No additional lighting will be installed.

**The following documents and/or information are required
to be submitted with the application:**

An application fee of \$500.00.

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

A Statement of Justification ✓

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.

A Site Plan/Survey. ✓

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

Sewage Disposal and Well Site. ✓

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

A copy of the deed to the property verifying the current ownership. ✓

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

A statement verifying that real estate taxes have been paid. ✓

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

Environmental and Community Impact Statements ✕

The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

List of chemicals stored on the site ✕

A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

Location Map ✕

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

Directions to your property from the Warren County Government Center.

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.

Matt um [Signature] 6/15/22
Applicant Signature Date

Matt um [Signature] 6/15/22
Property Owner Signature Date

Accepted by: Chase Lenny Date: 6/16/2022

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES



PERMIT

COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH

IDENTIFICATION # 187040241
DATE OF ISSUE: December 2, 2004

TAX MAP # 22B-S-42
SUBDIVISION: Apple Mountain
Lake; Sec S; Lot 42

OPERATOR: Barnhart Associates Inc
ADDRESS: P.O. Box 782
Front Royal, VA 22630

The above operator has made application and in accordance with the regulations of the BOARD OF HEALTH OF THE COMMONWEALTH OF VIRGINIA is authorized by the WARREN COUNTY HEALTH DEPARTMENT to operate the following:


- ON-SITE SEWAGE DISPOSAL SYSTEM
SYSTEM TYPE: II / BEDROOMS IN STRUCTURE: 3
DESIGN CAPACITY: 450 gpd / MAXIMUM OCCUPANCY: 6
OTHER: Purafló
- PRIVATE WATER SUPPLY SYSTEM
Class of non-public water well: IIIB
Based on the inspection of this water supply system, the information contained on the water completion report and the sample results, this water supply meets the requirements of the PRIVATE WELL REGULATIONS:

An "X" in the indicates the system approval for which this permit has been issued.

The issuance of an operation permit does not denote or imply any guarantee by the Virginia Department of Health that the sewage disposal system will function, as designed, for any specified period of time. It shall be the responsibility of the owner or any subsequent owner to maintain, repair, or replace any sewage disposal system that ceases to operate as defined in the operation permit and in 12 VAC 5-610-350.

If a conditional permit has been issued, the owner or any subsequent owner is advised to review the conditions that have been imposed on the operation of this sewage disposal system.

This permit not valid unless affixed with the embossed seal of the Lord Fairfax Health District.


HEALTH OFFICIAL

12-2-04
DATE

Veronica Diamond

From: David Beahm
Sent: Friday, June 24, 2022 4:03 PM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: RE: Request for Comments- Williams & Gilbert-CUP 2022-07-05 – Matthew Williams & Jay Gilbert – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000200-2022

Comments 2022-07-05 – Matthew Williams & Jay Gilbert – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000200-2022:

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.

- Building Inspections Items:
 - The use of the existing dwelling for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating it as a short-term rental.
 - Given the timeframe that the structure was originally built it may not require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

If anything should change in the scope additional requirements may be required.

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.gov
www.warrencountyva.gov

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Thursday, June 23, 2022 10:04 AM
To: David Beahm <Dbeahm@warrencountyva.gov>; Walker, Ashley <ashley.walker@vdh.virginia.gov>; jim.davis@vdh.virginia.gov; Smith, Gregory <gregory.smith@vdh.virginia.gov>
Cc: caglejn@hotmail.com
Subject: Request for Comments- Williams & Gilbert-CUP 2022-07-05

Good morning,

Lord Fairfax Health District



Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



June 30, 2022

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RECEIVED
JUL 05 2022

BY:

RE: Request for Comments (2022-07-05)
Owner: Matthew Williams & Jay Gilbert

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 244 Delicious Rd. Linden, VA (Tax Map# 22B-S-42) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 4/09/2004, 9/30/2004 and 12/02/2004 respectively.
2. The dwelling is connected to an approved Alternative Onsite Sewage System (AOSS). The AOSS is designed to accommodate Three (3) Bedrooms, Six (6) Occupants and a daily flow of 450 gallons.
3. The owner should be aware that AOSS's require annual maintenance and monitoring by a licensed operator.
4. The dwelling is connected to a Class IIIB private well. A water sample should be collected and analyzed by a state approved laboratory at least annually for the presence/absence of coliform bacteria.
5. All refuse shall be placed in containers with tight-fitting lids.
6. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,



Jim Davis

Environmental Health Supervisor

Veronica Diamond

From: Samantha Silke <samanthia@tmssuppliesinc.com>
Sent: Wednesday, August 10, 2022 4:32 PM
To: Veronica Diamond
Subject: 244 Delicious Rd Conditional Use Permit for a Short-Term Tourist Rental

Good evening,

I am unable to attend tonight's public hearing but wanted to put my opinion in as I live directly across the street at 251 Delicious Rd.

I have no issues with this property being used as a short-term rental. My family and I have had no issues with the property or any of the visitors. There has been no increase in noise or traffic or any other noticeable negatives associated with that property.

Respectfully,

Samanthia Silke
USN RET

TMS Supplies Inc.
8505-G Euclid Ave
Manassas Park, VA 20111
O: 703-257-7323
F: 703-420-2949
MICRO/SWAM, DBE Certified

****I work remote Mon-Thursday, please call my Cell to reach me 540-660-1741****

<http://www.tmssuppliesinc.com/>



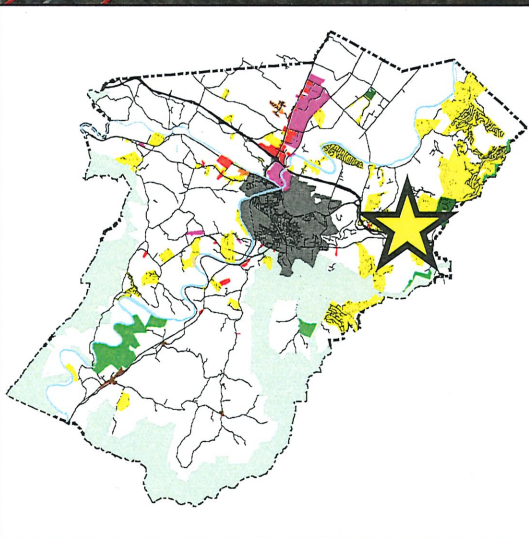
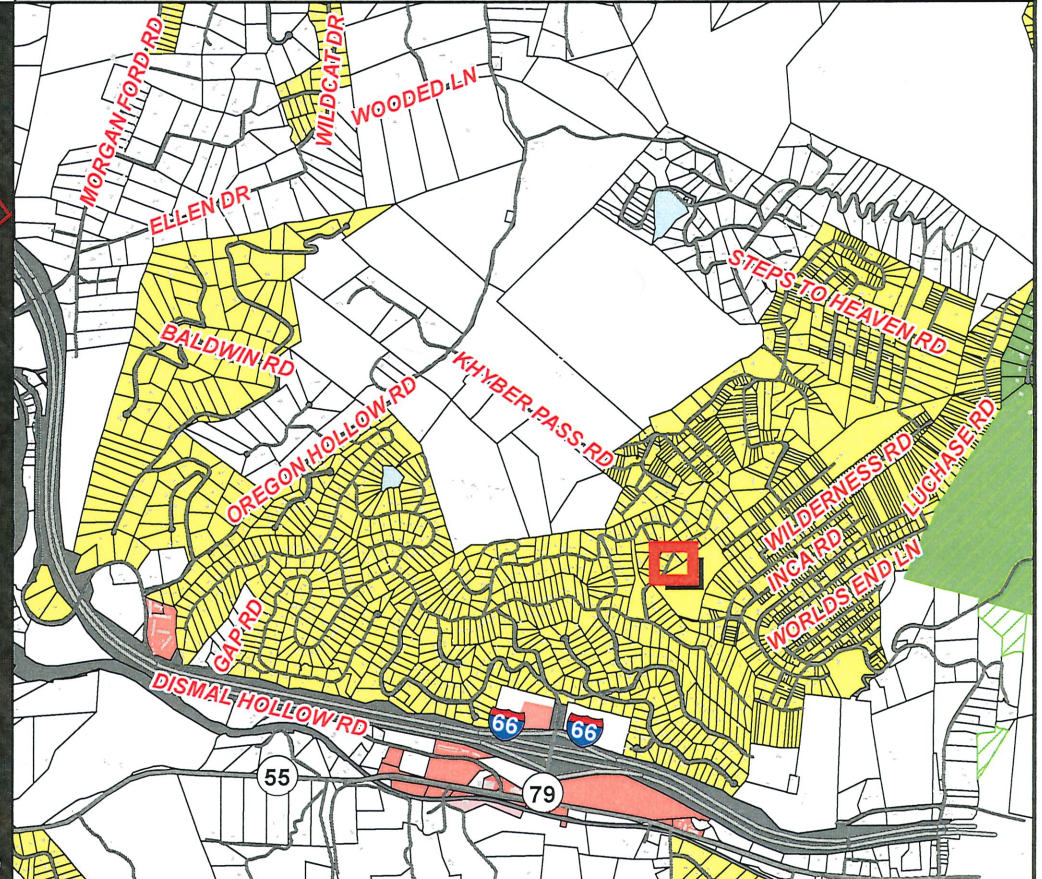
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Matthew Williams

TM 22B---S--42
244 Delicious Road



Zoning

- | | |
|----------------------|----------------------------|
| Agricultural | Rural Residential |
| Commercial | Right of Way |
| Industrial | Front Royal |
| Residential One | Federal Land |
| Residential Two | State Land |
| Suburban Residential | Water |
| Village Residential | VOF Conservation Easements |
| | WC Conservation Easements |

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | |
|---|----------------------------|---|
| DATE 09/06/2022 | ITEM H-17 | SUBJECT: Conditional Use Permit #2022-07-06 Matthew Williams & Jay Gilbert <i>Short-Term Tourist Rental</i> |
| EXPLANATION & SUMMARY: See attached application and staff report. General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards: <ol style="list-style-type: none">1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:<ol style="list-style-type: none">a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.c) Provide for adequate parking and ingress and egress to public streets or roads.d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.e) Prevent such use from changing the character and established pattern of development of the community. | | |

PLANNING COMMISSION STATUS:

On Wednesday, August 10, 2022, Mrs. Richardson moved to forward this application to the Board of Supervisors, recommending approval. The motion was seconded by Mr. Kersjes and approved by the Planning Commission by a vote of 4-0.

RECOMMENDED CONDITIONS:

Staff recommends that if the Board of Supervisors is going to approve of this request that the following conditions should be applied:

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not six as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the state and county roads shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed Conditional Use Permit request for a Short-Term Tourist Rental for advertisement of a public hearing.

| | | |
|---|---|----------------------|
| SUBMITTED BY: Chase Lenz, <i>CL</i> Zoning Administrator | DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (Describe) | PROCESSED BY: |
|---|---|----------------------|



Conditional Use Permit: 2022-07-06 / Short-Term Tourist Rental

Matthew Williams & Jay Gilbert, Current Owners/Applicants

Prepared: June 28, 2022 Revised: July 27, 2022

Staff Contact: Chase Lenz, Zoning Administrator

GL

SUMMARY OF REQUEST

The applicants are requesting a conditional use permit for a short-term tourist rental for the property they recently purchased in March of 2022. The owners would like to make the attached cabin they are in the process of restoring on the property available for short-term visitations for guests seeking to enjoy the wineries, hiking trails, and other natural attractions of the Shenandoah Valley area. The applicants plan to manage the property personally with assistance from local professional services for cleaning and landscaping.

PROPERTY INFORMATION

Property Location: 115 Lonesome Flats Road
Tax Map ID: 19-----43
Magisterial District: Fork
Subdivision: N/A

City: Front Royal
Zoning: Agricultural (A)
Acres: 2.6563 Acres
Existing Land Use: Single Family Dwelling

SURROUNDING ZONING DISTRICTS & USES

North: Agricultural (A)
South: Agricultural (A)
East: Agricultural (A)
West: Agricultural (A)

Use: Single Family Dwelling
Use: Single Family Dwelling
Use: Single Family Dwelling
Use: Single Family Dwelling

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Agricultural zoning district. The dwelling was constructed in 1995 and no zoning violations have been recorded for the property.



COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for agricultural and residential land uses. A short-term tourist rental is a use allowed by conditional use permit in the Agricultural zoning district and is compatible with the current Warren County Zoning Ordinance.

SUPPLEMENTARY REGULATIONS

Warren County Zoning Ordinance: § 180-56.4: Short-term tourist rentals.

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. **There is a Health Department operation permit on file approving six (6) occupants for the dwelling. Documentation has been provided by the applicant requesting a maximum of six (6) occupants. Warren County Assessment data lists four (4) bedrooms in the dwelling.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all rights-of-way and in yards. **There is sufficient parking for at least three vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **Existing woodlands partially screen the dwelling on all sides.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **The applicant shall obtain building permits to ensure the dwelling meets the current code requirements for fire protection systems.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **The PMP will be provided and reviewed by Planning staff prior to issuing the certificate of zoning.**
- I. If the property is located within a subdivision governed by a Home Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. **The subject property is not located in a subdivision governed by an HOA/POA.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The property shall have the evacuation plan posted in each bedroom and in the guest registration packet.**
- L. A copy of Chapter 123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicant shall have a copy of the ordinance in their guest registration packet and posted in a common area of the dwelling.**

- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in §180-63 of the Warren County Zoning Ordinance.
- N. All outdoor burning shall be in compliance with Chapter 92 of the Warren County Code.
- O. There shall be a minimum of 100' from the short-term tourist rental to all neighboring residences. **The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 313' to the north.**

RECOMMENDED CONDITIONS

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. *Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.*

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the state and county roads shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Cc: Matthew Williams & Jay Gilbert – Owners/Applicants

Statement of Justification – 115 Lonesome Flats Rd.

My partner and I recently purchased 115 Lonesome Flats, and while living here as our primary residence, are in the process of restoring the properties attached original log cabin as well as completing some renovations across the rest of the property. We're excited to share the cabin's history and surrounding area with our family and future visitors. While we will be spending much of our time here, we periodically travel and plan to offer all or part of the space as a short-term rental. The home and it's outdoor spaces are private; however we also plan to ensure that they are available only to vetted guests who respect these spaces and the community. In addition to standard processes in place with online platforms, we use outdoor cameras at all entrances to the property as well a sound monitoring device and service that notifies us immediately if a party or other continuous loud noise is present. We have a formal property management plan printed and available virtually for all guests.

We plan to self-manage the property, but will have additional local contacts with a fantastic and local cleaning and lawn care team that will be available in case of emergencies.

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: Short Term Rental
- (2) Current land use and condition of site: A
- (3) Zoning of surrounding land/property: A
- (4) Will development be staged? Yes No
- (5) Construction Time: none
- (6) Season, days, and hours of operation: Year-round
- (7) Will there be a sign? Yes No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) _____

- (9) Number of full time employees: _____
- (10) What type of sewage disposal system will be used? Private Central Public
- (11) Number of persons to be served by the sewage disposal system: 6
- (12) Number of parking spaces to be provided: Regular 3 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? _____
Thick tree line, wooded areas create privacy on all sides of property

C. Plans Prepared By

Name: _____
Address: _____
Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____
None

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____

Trash and recycling will be regularly disposed of by owners

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____

none

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____

none

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____

none

(6) What will be the impact on traffic? minimal - strict directions will be given to renters to use care on shared roadway/driveway

(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. none

**The following documents and/or information are required
to be submitted with the application:**

- An application fee of \$500.00.**
Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.
- A Statement of Justification**
This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 ½ x 11 size paper.
- A Site Plan/Survey.** ✓
Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.
- Sewage Disposal and Well Site.** ✗
Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.
- A copy of the deed to the property verifying the current ownership.**
A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.
- A statement verifying that real estate taxes have been paid.**
This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.
- Environmental and Community Impact Statements** ✗
The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.
- List of chemicals stored on the site** ✗
A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.
- Location Map** ✗
A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.
- Directions to your property from the Warren County Government Center.**

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.

Mason *J. Hall* 6/15/22
Applicant Signature Date

Mason *J. Hall* 6/15/22
Property Owner Signature Date

Accepted by: *Chase Long* Date: 6/16/2022

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

No. SD-87-030
WS-94-236
TAX MAP #19-43

PERMIT

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH

~~THIS PERMIT~~
~~EXPIRES ON~~
~~XXXXXXXXXX~~

DATE OF ISSUE
MAY 1, 1995



OPERATOR: MR. TROY A. LUCAS
ADDRESS: 115 LONESOME FLATS ROAD
FRONT ROYAL, VIRGINIA 22630

The above operator has made application and in accordance with the regulations of the Board of Health of the Commonwealth of Virginia is authorized by the WARREN COUNTY *Health Department to operate a* TYPE I SEWAGE DISPOSAL SYSTEM W/270 GPD (3 BR, 6 PER. MAX. OCC.) W/LOW FLUSH TOILETS & WATER SAVING DEVICES AT 0.1 M EAST OF INT. OF 739 AND 660 ON S SIDE OF 660.

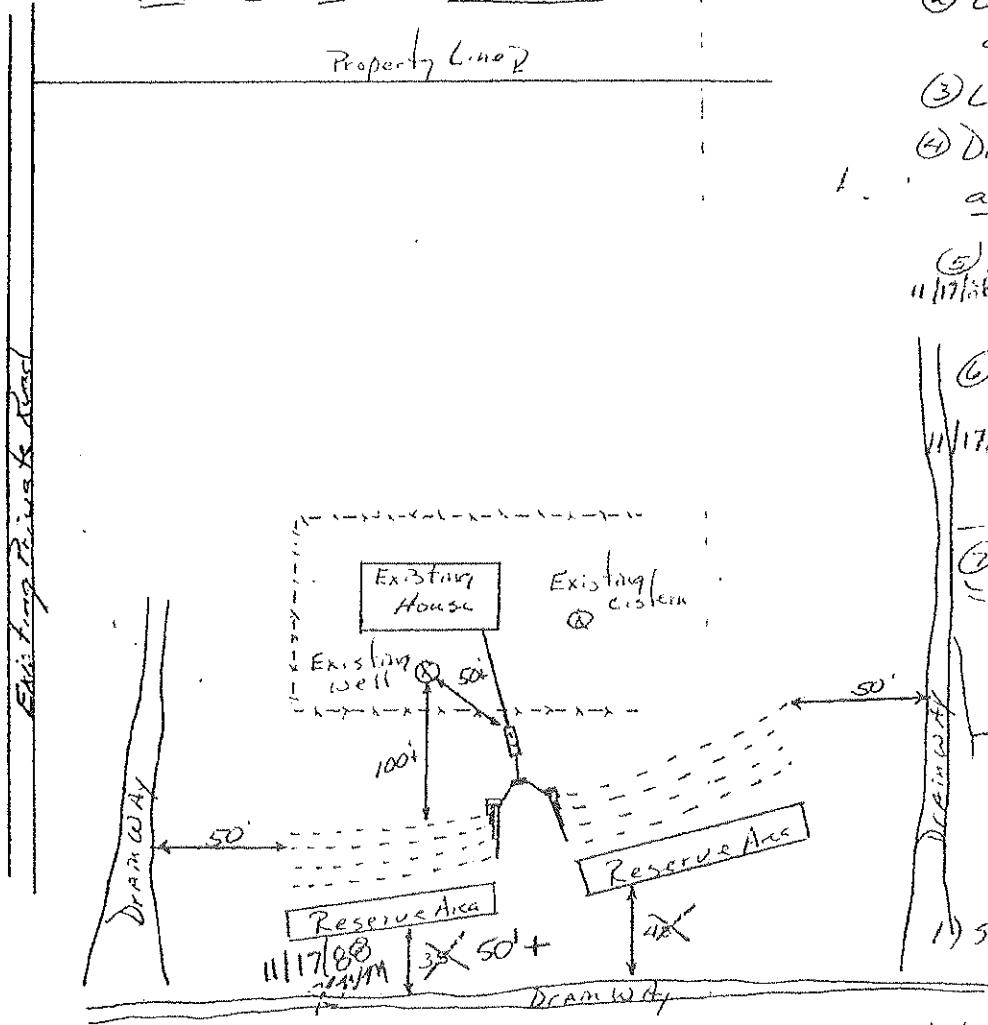
Walter P. Bailey, Jr.
HEALTH OFFICIAL

Schematic drawing of sewage disposal system and topographic features.

Show the lot lines of the building lot and building site, sketch of property showing any topographic features which may impact on the design of the system, all existing and/or proposed structures including sewage disposal systems and wells within 100 feet of sewage disposal system and reserve area. The schematic drawing of the sewage disposal system shall show sewer lines, pretreatment unit, pump station, conveyance system, and subsurface soil absorption system, reserve area, etc. When a nonpublic drinking water supply is to be located on the same lot show all sources of pollution within 100 feet.

The information required above has been drawn on the attached copy of the sketch submitted with the application. Attach additional sheets as necessary to illustrate the design.

Not to Scale 13+ Acres



- ① 8-80' Lines
- ② Lines to be 24" Deep, 3' wide 9' on center
- ③ Lines to follow surface contours
- ④ Drain field to be 100' Min from all water supplies
- ⑤ Septic Tank to be 10' Min from House (11/17/88 RNM)
- ⑥ Drain lines to have 10" of 1/17/88 broken stone under drain tile 12' 3" to 15' of broken stone
- ⑦ Permanent water saving plumbing devices (one gallon flush toilets & low restricted shower heads) are required!
- NA
- 11/17/88 RNM
- or Add to plan notes
- Abandon well as 1) FILTER needed
- Keep Reserve Min. 50' from drainway.

The sewage disposal system is to be constructed as specified by the permit or attached plans and specifications .

This sewage disposal system construction permit is null and void if (a) conditions are changed from those shown on the application (b) conditions are changed from those shown on the construction permit.

No part of any installation shall be covered or used until inspected, corrections made if necessary, and approved, by the local health department or unless expressly authorized by the local health dept. Any part of any installation which has been covered prior to approval shall be uncovered, if necessary, upon the direction of the Department.

Date: 3/31/87 Issued by: Ruband M. Slack Sanitarian

Date: 4-9-87 Reviewed by: H. Bluder Supervisory Sanitarian

This Construction Permit Valid until 9/30/91

If FHA or VA financing

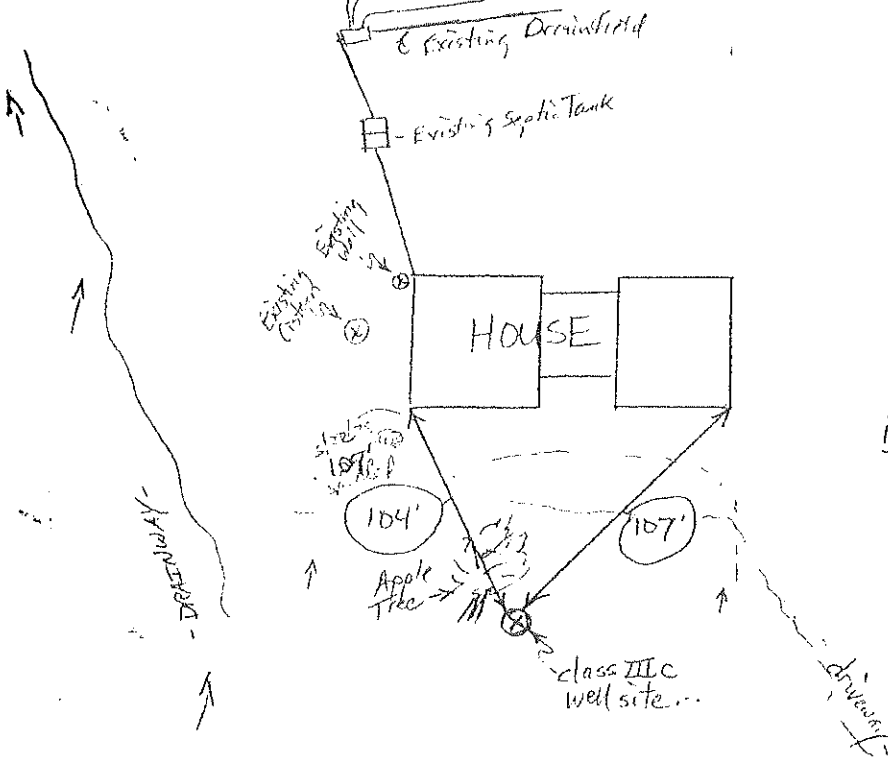
Reviewed by Date _____ Date _____

WELL

Schematic drawing of sewage disposal and/or water supply system and topographic features.

Show the lot lines of the building site, sketch of property showing any topographic features which may impact on the design of the well or sewage disposal system, including existing and/or proposed structures and sewage disposal systems and wells within 200 feet. The schematic drawing of the well site or area and/or sewage disposal system shall show sewer lines, pretreatment unit, pump station, conveyance system, and subsurface soil absorption system, reserve area, etc. When a nonpublic drinking water supply is to be permitted, show all sources of pollution within 200 feet.

The information required above has been drawn on the attached copy of the sketch submitted with the application. Attach additional sheets as necessary to illustrate the design.



- Install class III C well with 20' casing and 20' gravel.
- 100' from termite treated house.
- 50' from septic tank, 100' from drainfield.

This sewage disposal system and/or water supply is to be constructed as specified by the permit or attached plans and specifications _____.

This sewage disposal system and/or well construction permit is null and void if (a) conditions are changed from those shown on the application (b) conditions are changed from those shown on the construction permit.

No part of any installation shall be covered or used until inspected, corrections made if necessary, and approved, by the local health department or unless expressly authorized by the local health dept. Any part of any installation which has been covered prior to approval shall be uncovered, if necessary, upon the direction of the Department.

Date: 8/8/94 Issued by: Walter P. Bailey Jr., FHSS
 Date: 8/8/94 Reviewed by: Daniel Perry EHSS
Sanitarian
Supervisory Sanitarian

| |
|--|
| This Construction Permit Valid until <u>8/8/99</u> |
|--|

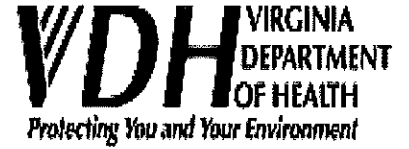
If FHA or VA financing

Reviewed by Date _____ Date _____

Lord Fairfax Health District



Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



June 30, 2022

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RECEIVED
JUL 05 2022

BY:

RE: Request for Comments (2022-07-06)
Owner: Matthew Williams & Jay Gilbert

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 115 Lonesome Flats Rd. Front Royal, VA (Tax Map# 19-43) and I offer the following comments:

1. There is a Construction Permit, ROI and Operation Permit on file for the referenced property dated 3/31/1987, 11/17/1988 and 5/01/1995 respectively.
2. The dwelling is connected to an approved Conventional Onsite Sewage System (COSS). The COSS is designed to accommodate Three (3) Bedrooms, Six (6) Occupants and a daily flow of 450 gallons.
3. The dwelling is connected to a Class IIIC private well. A water sample should be collected and analyzed by a state approved laboratory at least annually for the presence/absence of coliform bacteria.
4. All refuse shall be placed in containers with tight-fitting lids.
5. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,


Jim Davis
Environmental Health Supervisor

From: [David Beahm](#)
To: [Veronica Diamond](#)
Cc: [Paula Fristoe](#)
Subject: RE: Request for Comments-Williams & Gilbert -CUP 2022-07-06 – Matthew Williams & Jay Gilbert – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000201-2022
Date: Monday, June 27, 2022 10:49:00 AM

Comments 2022-07-06 – Matthew Williams & Jay Gilbert – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000201-2022:

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.
- Building Inspections Items:
 - The use of the existing dwelling for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating it as a short-term rental.
 - Given the timeframe that the structure was originally built it may require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

If anything should change in the scope additional requirements may be required.

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.gov
www.warrencountyva.gov

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Thursday, June 23, 2022 10:09 AM
To: David Beahm <dbeahm@warrencountyva.gov>; Walker, Ashley <ashley.walker@vdh.virginia.gov>; jim.davis@vdh.virginia.gov; Smith, Gregory <gregory.smith@vdh.virginia.gov>
Subject: Request for Comments-Williams & Gilbert -CUP 2022-07-06

Good morning,

Please see attached documents attached for Williams & Gilbert.

CUP2022-07-06

John Croft 8/6/2022

219 Maywood Drive, Front Royal VA

Opposition to short-term rental on

Lonesome Flats Road

As an adjoining property owner and owner of the private road named Lonesome Flats Road, we oppose the use of the property for short term rental. There are several reasons we are against the use of a short term rental.

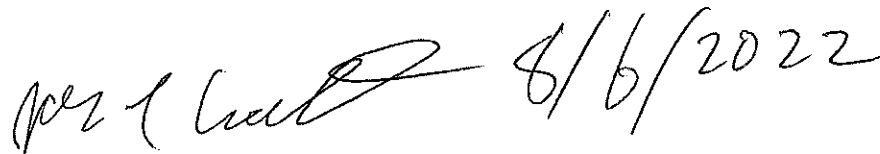
- Short term rentals are largely responsible for the housing crisis in America. Originally the idea behind short term rentals via sites like AirBNB was good. Someone could rent out their property or even part of their property for some additional income when they aren't using it. A family could go on vacation for a week and their property could be left abandoned, or they could rent it out for that week. The later has some drawbacks, but also some major advantages. However, investment groups have started purchasing properties expressly for the purpose of short term rental usages. This adversely affects the housing market. It effectively removes properties from the market as housing and makes them into commercial investment properties. The law of supply and demand means that the number of people looking for housing remains the same or may even grow over time but the available properties are reduced and so prices go up. In some areas it is impossible for the average person to buy a house. This also drives rent prices and affects commercial prices. In short, while it is nice to know my property is worth more today, it means so many new families are priced out of Warren County that we just can't support this practice.
- Additionally, short term renters are not good neighbors. They aren't neighbors at all. They are a product of a business. We have a lot of folks who enjoy riding 4 wheelers in the area. Occasionally we have someone ride up onto our property, often via the embankment in the cul-de-sac. This leaves damage to the ground and promotes erosion in a place where that's already an issue. We also have pets who often roam the woods on our property. We do not want someone to accidentally hit our dog while it's out doing it's business in the woods. What a terrible way to go! So when it happens we try to talk to the person and explain our reasons. Every single time we've done that, they stop going through our property. It's neighborly. With short term rentals, that doesn't exist. Certainly we can talk to a person, but then next week a new person shows up. If even 10% of the renters are interested in 4 wheeling that is over 5 times a year that this is happening, which may not seem like a lot but considering we've not had to talk to that many people the near 2 decades we've lived here, it's a pretty big difference. Then there are other potential issues. We found a bullet in our house from someone using their property as a shooting range. Perfectly legal, but not really interested in my kid being shot while

playing in the yard. With good neighbors we can ensure that the range they use is set up not facing our house or with a sufficient backstop. We haven't found another bullet in our house. A few years back one of our neighbors graduated high school, so he contacted all the folks in the surrounding properties to let us know he was planning on having a party and it might go late. Then gave us a card with a number we can call if it is bothering us so he could turn down the volume. It wasn't a problem, but what an amazing neighbor. I can't imagine short term renters having that kind of relationship with people in the area. I could go on and on about how important it is to be neighborly and why commercial use of the property is bad for the community, but I'm sure y'all can imagine enough scenarios based on your own experiences with neighbors.

- The last reason I'm sharing, though certainly not the last possible reason, is the potential for crime and legal but extremely unwelcome activity. Short term rentals offer a degree of anonymity. There is no tie to the community and where we live there is definitely some privacy. There have been several cases around the country and even world where short term rental properties are used for human and drug trafficking. It's much harder to identify and build a case because locations can change constantly. This is great for criminals but less so for locals who are affected. Additionally short term rentals are used for legal activities that we wouldn't want in our community like adult films. We can regulate this, but there is no possible way to enforce it. Even if the owners indicate they will not allow filming or illegal activity, nothing stops renters from doing just that.

Ultimately, short term rentals are bad for our community and should not be allowed or if allowed they should be limited in a way that more closely approximates the way they were originally set up, a solution that allows families to make use of the property for the time they are not using it. The biggest problem is investment groups that want to squeeze every drop out of a property with no concern for the community because they are not part of the community.

Lonesome Flats Road is approximately 1 acre of land on our property. This is nearly 1/3 of our total property and we could grant a right of way for use of the property. Only one neighbor has been granted the right to use our road. No one else has contacted us for use of the property, and we are concerned that failing to counter this use will lead to potentially detrimental precedent, so as owner of the private road, we are officially objecting to this use of our property and will not grant a right of way for short term rental traffic.


John Croft

8/6/2022



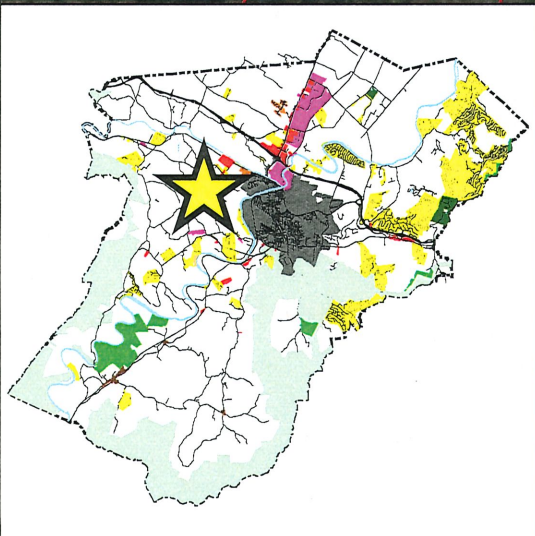
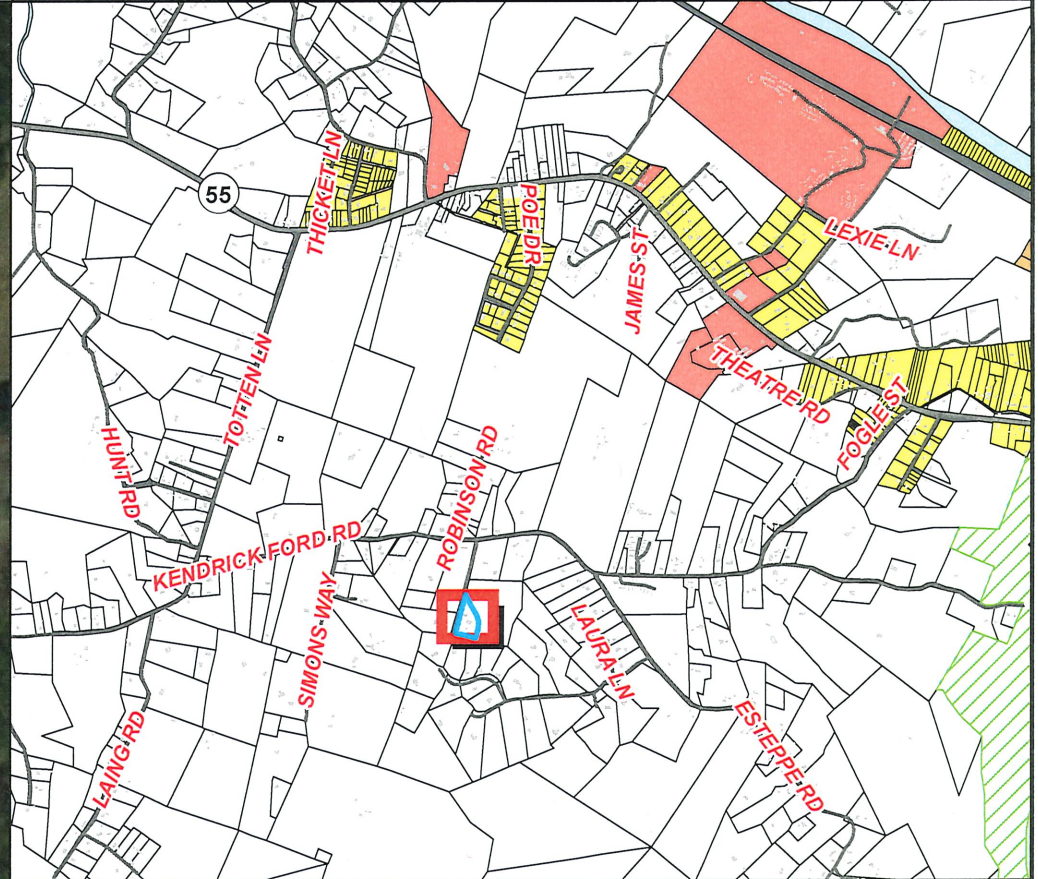
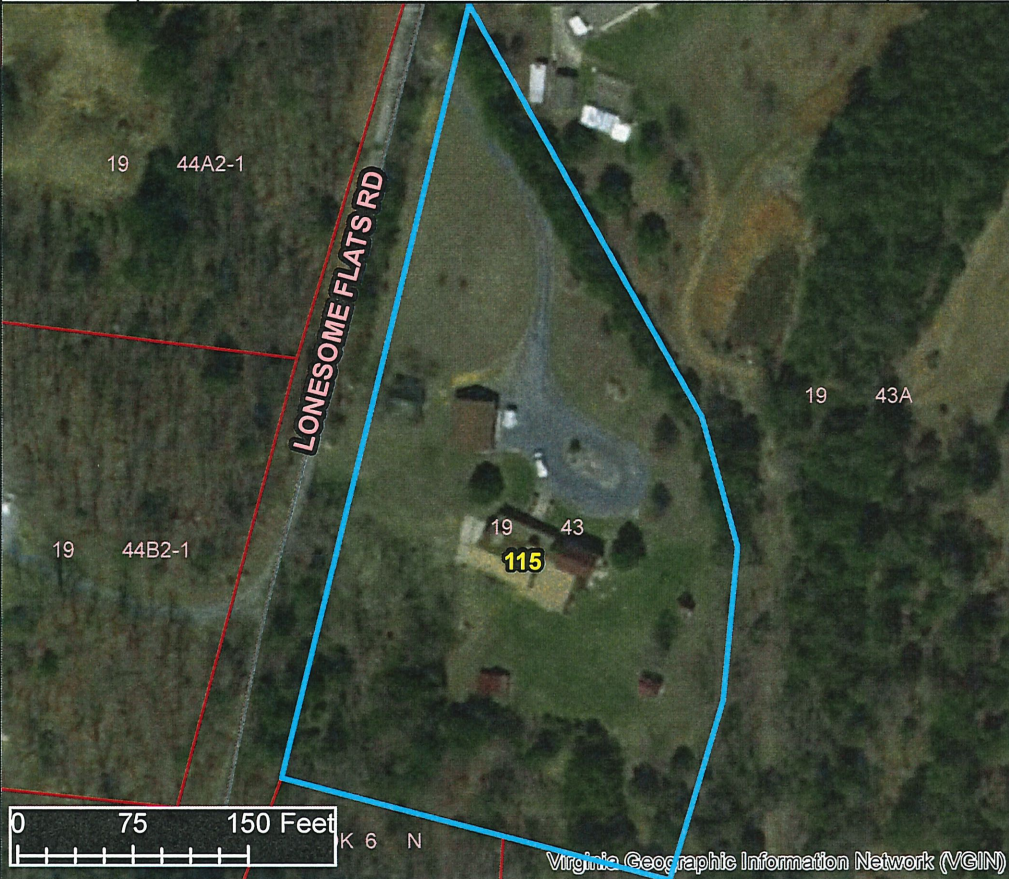
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Matthew Williams

TM 19-----43
115 Lonesome Flats Road



Zoning

- | | |
|----------------------|----------------------------|
| Agricultural | Rural Residential |
| Commercial | Right of Way |
| Industrial | Front Royal |
| Residential One | Federal Land |
| Residential Two | State Land |
| Suburban Residential | Water |
| Village Residential | VOF Conservation Easements |
| | WC Conservation Easements |

Map produced by
Warren County GIS 2022
Department of Planning



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| DATE | ITEM | SUBJECT: | PAGE |
|-----------|------|--|--------|
| 9/06/2022 | H-18 | Conditional Use Permit #2022-07-07 Thomas L. Pigeon <i>Short-Term Tourist Rental</i> | 1 of 2 |

EXPLANATION & SUMMARY:

See attached application and staff report.

General standards/conditions. In addition to the specific standards set forth hereinafter with regard to particular conditional uses, all such uses shall satisfy the following general standards:

- (1) The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.
- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- (4) The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or in conflict with the existing and anticipated traffic in the area.
- (5) Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided.
- (6) In determining whether or not to grant a permit and in determining conditions to be imposed, the governing body shall take into consideration the objectives and intent of this chapter and may impose reasonable conditions that:
 - (a) Abate or restrict noise, smoke, dust or other elements that may affect surrounding properties.
 - (b) Establish setback, side and front yard requirements necessary for orderly expansion and to prevent traffic congestion.
 - (c) Provide for adequate parking and ingress and egress to public streets or roads.
 - (d) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property.
 - (e) Prevent such use from changing the character and established pattern of development of the community.

Planning Commission Move to Approve:

Mr. Kersjes moved to forward this application to the Board of Supervisors, recommending approval with the amendment of condition #8 regarding the fence. The motion was seconded by Mr. Henry and approved by the Planning Commission by a vote of 4 - 0.

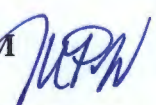
1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six (6) as determined according to the Health Department conditional/operational permit which needs to be issued for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the State, road shall be prohibited.
7. Outdoor burning and the use of fireworks by guests shall be prohibited.
8. The applicant shall install a fence along the border of lot 24 to clearly delineate the property boundary.

BOARD OF SUPERVISORS PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize for advertisement of a public hearing the proposed conditional use permit request for a Short-term Tourist Rental.

SUBMITTED BY:

Matt Wendling, CFM
Planning Director
County Floodplain Manager



DISPOSITION OF BOARD:

APPROVED **OTHER (Describe)**

PROCESSED BY:

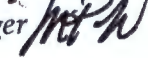


Conditional Use Permit: 2022-07-07/ Short Term Tourist Rental

Thomas L. Pigeon (Shawnee LLC), Applicant/ Owner

Staff Report for the Planning Commission

Prepared: July 1, 2022

Staff: Matt Wendling, *Planning Director/County Floodplain Manager* 

SUMMARY OF REQUEST

The applicant purchased this property as a second home in June 2022 and currently lives in Winchester. He and his partner Michelle Korthauer purchase the property as an investment and for use as a second home. The applicant will contract a local property management company, Shenandoah Valley Property Maintenance LLC to manage and maintain the property if the use is approved. The owners plan to manage the rental of the property through Airbnb and will review any renters for a positive on-line ranking.

PROPERTY INFORMATION

| | |
|--|---|
| Property Location: 540 Lakeside Dr. | Town/Village: Front Royal |
| Tax Map ID: # 27H-1-1-Parcel 25 & 26 | Zoning: Residential One (R-1) |
| Magisterial District: Fork | Acres: 2.0 |
| Subdivision: Royal View Estates | Existing Land Use: Single-Family Dwelling |
| Special Flood Hazard Area: The dwelling is located in a non-flood zone "X" area. | |

SURROUNDING ZONING DISTRICTS & USES

| | |
|------------------------------|-----------------------------|
| North: Residential One (R-1) | Use: Vacant Lot - Wooded |
| South: Residential One (R-1) | Use: Single-Family Dwelling |
| East: Residential One (R-1) | Use: Single-Family Dwelling |
| West: Residential One (R-1) | Use: Vacant Lot - Wooded |

PROPERTY HISTORY

This property has not had any previous Conditional Use Permits issued for uses in the Residential One (R-1) zoning district to the property.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Future Land Use Map in the Comprehensive Plan identifies this area to be used for Residential One (R-1) land uses which allows for a Short-term Tourist Rental by conditional use permit in the Warren County Zoning Ordinance Section §180-23. Short-term Tourist Rentals provide transient-lodging taxes to the County and are typically used by tourists visiting the area. This use complies with Chapter 6: Economic Development chapter, Goal V, and the promotion of tourism objectives of the comprehensive plan.

PROPOSAL:

A Short-Term Tourist Rental is defined by the Warren County Zoning Ordinance as, "A single-family dwelling not attached to any other dwelling by any means and located on an individual lot that is rented for compensation for periods of less than 30 days. See § 180-56.4 for supplementary regulations pertaining to short-term tourist rentals."

SUPPLEMENTARY REGULATIONS FOR SHORT-TERM TOURIST RENTAL (Section 180-56.4 of the Warren County Zoning Ordinance):

These regulations are as follows:

- A. The owner of a dwelling unit to be used for a short-term tourist rental shall apply and receive a zoning permit and/or a conditional use permit from the Planning Department prior to utilizing the dwelling unit as a short-term rental. The permit shall be reviewed by planning staff on an annual basis to ensure compliance with the performance standards listed in this section, along with all conditions placed on the conditional use permit, if applicable. Warren County may revoke a permit for repeated noncompliance with these performance standards.
- B. The maximum number of occupants in the dwelling unit shall be determined according to permit approval received by the Warren County Health Department; however, the maximum number of occupants shall not exceed 10. **The applicant has provided the Health Department records which allow for a 3 bedroom and 6-person occupancy for the dwelling. A request for comments was sent to the WC Health Department to verify the septic system and occupancy approved for the dwelling based on their records review and they confirmed it was a 3-bedroom system with six-person occupancy.**
- C. Parking for the use shall be located in driveways or other designated and approved parking areas. The parking of vehicles is prohibited in or along all right-of-ways and in yards. **There is sufficient parking for two vehicles in the driveway.**
- D. Property boundaries, or limitations within the property's boundaries where transients are allowed, must be clearly marked at all times. **The boundary lines shall be marked according to location shown on the survey.**
- E. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- F. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the Uniform Statewide Building Code, and a carbon monoxide detector must be installed on each floor in every dwelling. **A change of use for a transient boarding facility for the property dwelling and an inspection will be required to verify if it meets all Building Code requirements for fire/smoke protection and a fire extinguisher.**
- G. The owner of a dwelling used for short-term tourist rentals shall give the County written consent to inspect any dwelling used for short-term rental to ascertain compliance with all of the above performance standards upon a 24-hour notice.
- H. A property management plan (PMP) demonstrating how the short-term tourist rental will be managed and how impacts to neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to county staff, public safety officials, and if applicable, the HOA/POA of the subdivision. The plan must be provided as a part of the rental contract. **A Property Management Plan will need to be submitted and will be reviewed and approved by staff with all other requirements shall need to be met prior to a certificate of zoning for the business being issued.**

- I. If the property is located within a subdivision governed by a Home-Owners Association/Property Owners Association, the Planning Department must receive a recommendation of approval or disapproval from the HOA/POA to operate the short-term tourist rental. **This property is in the Royal View Estates subdivision and we don't have a contact for this subdivision so no request for comments were sent.**
- J. The short-term tourist rental shall have a "land-line" with local phone service. The phone number servicing the short-term tourist rental shall be included in the property management plan.
- K. The owners of the tourist rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. **The applicant shall have this posted in the bedrooms and in their guest registration packet.**
- L. A copy of Chapter §123 of the Warren County Code relative to noise must be provided at the short-term tourist dwelling. **The applicants shall have a copy of this in their guest registration packet and have it posted in a common area of the dwelling.**
- M. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation as described in Warren County Code Section §180-63.
- N. All outdoor burning shall comply with Chapter §92 of the Warren County Code.
- O. There shall be a minimum of 100 feet from the short-term tourist rental to all neighboring residences. **The dwelling on this property is located over 158' from the adjacent dwellings surrounding this property.**

RECOMMENDED CONDITIONS:

Staff recommends that, if the Planning Commission recommends approval of this application, the following conditions should be applied:

1. The applicants shall comply with all Warren County Health Department and Warren County Building Inspections and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six (6) as determined according to the Health Department conditional/operational permit which needs to be issued for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the subdivision roads shall be prohibited.

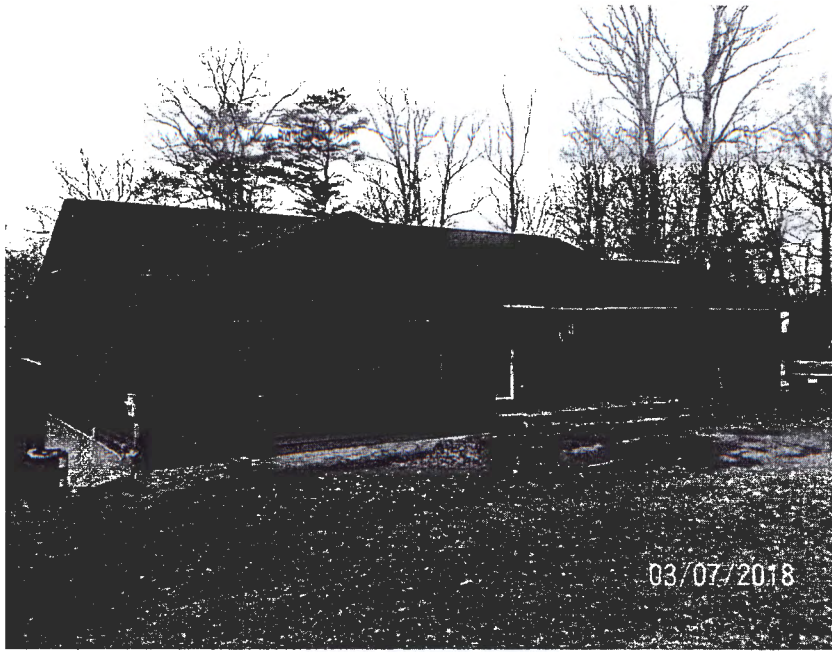


Figure 1 Pigeon House

Cc: Thomas L. Pigeon and Michelle L. Korthauer, Applicants

WARREN COUNTY CONDITIONAL USE PERMIT APPLICATION

Application Number: 2022-07-07
Date Received: 6/15/2022
Fee Amount: \$ 500.00
Date Paid: 6/15/2022 (cc)

Applicant Information:

Thomas L Pigeon
Applicant Name

→ 540 Lakeside Dr Front Royal VA 22630
Address City State Zip

→ 820 E Princeton Ave Spokane WA 99207
Property Location for conditional use permit if Different than Applicant's Address

612-597-5754 ~~tjpigeon22@gmail.com~~ tjpigeon22@gmail.com
Primary Contact Number Email

Property Owner (if same as applicant, leave blank)

Address City State Zip

Primary Contact Number

Respectfully request that a determination be made by the Warren County Planning Commission and Board of Supervisors on the following request for a Conditional Use Permit for the property described below.

A. Property Information:

- (1) Address/Location: 540 Lakeside Dr. Front Royal, VA 22630
- (2) Election District: Fork
- (3) Tax Map Number: 27H-1-1-25 and 26
- (4) Subdivision Name: Royal View Estates
- (5) Total Area of Property (acres): 2
- (6) Total Area to be Used (acres): 2
- (7) Total Road Frontage (feet): 510
- (8) Depth of Property (feet): 260
- (9) Present Zoning: R-1

B. Proposed Use of Property

- (1) State the proposed use(s) for the Conditional Use Permit: STTR
- (2) Current land use and condition of site: Residential
- (3) Zoning of surrounding land/property: R-1
- (4) Will development be staged? Yes No
- (5) Construction Time: NA
- (6) Season, days, and hours of operation: NA
- (7) Will there be a sign? Yes No
(If yes, please submit a sketch of the sign(s) showing size and shape and the sign permit check list with this application.)
- (8) Has there been any prior application for a conditional use permit/variance for this property? (If yes, enter the permit number and/or name, date of action, action taken by the Planning Commission, Board of Zoning Appeals and/or Board of Supervisors and a description of the request.) NO
- (9) Number of full time employees: NA
- (10) What type of sewage disposal system will be used? Private Central Public
- (11) Number of persons to be served by the sewage disposal system: 6
- (12) Number of parking spaces to be provided: Regular 5 Handicap _____
- (13) What is the proposed landscaping and buffering for this property? Trees, Shrubs, forest

C. Plans Prepared By

Name: NA
Address: _____
Telephone Number: _____

D. Environmental Information

- (1) Will this proposed use adversely impact the community of the environment? (If yes, what are the adverse impact(s) and what is proposed to solve these adverse impacts?) _____
NA

(2) Will there be any debris generated from the activity? (If yes, where and in what manner will the debris be stored and how and where will it be disposed of?) _____

_____ NA _____

(3) Will any potentially hazardous substances be used and/or stored on the property? (If yes, list the substances, their use and disposal of containers and substance residues.) _____

_____ NA _____

(4) List any potentially hazardous emissions including, but not limited to: fumes, gases, smoke noise, liquid effluent, waste water, dust, and state what measures will be used to control these emissions. _____

_____ NA _____

(5) Will there be any electrical or electronic activity which will interfere with local communications or telephone, television or radio reception? (If yes, describe the type of activity and potential interference.) _____

_____ NA _____

(6) What will be the impact on traffic? _____ Minimal to none

(7) Will exterior lighting be used? (If yes, state the number of lights and the wattage of each. A lighting plan or lighting contour map may be required to show the nearest candle power as measured at ground level. _____ existing

The following documents and/or information are required to be submitted with the application:

An application fee of \$500.00.

Make payable to the Treasurer of Warren County. A non-refundable fee of \$500.00 will be required at the time of submittal.

A Statement of Justification

This printed or typed statement is to be addressed to the Warren County Planning Commission. It is to summarize your proposed use and highlight any aspects of the request which are not addressed in the application form. Please note, the statement is required to be on 8 1/2 x 11 size paper.

A Site Plan/Survey.

Your site plan should show the property boundaries, existing or proposed structure(s), adjacent roads, and any other pertinent information which would help outline your proposed use. A recent survey with the proposed uses/structures located on it will serve as a site plan for the purposes of this permit. The Planning Director, Planning Commission and/or the Board of Supervisors reserve the right to ask for an engineered site plan, if they deem it necessary for evaluation of the proposed conditional use permit.

Sewage Disposal and Well Site.

Location of the existing or proposed septic system & drainfield and the well site are to be indicated on the survey or central/public connection location.

A copy of the deed to the property verifying the current ownership.

A copy may be obtained at the Warren County Courthouse, Circuit Clerk's Office.

A statement verifying that real estate taxes have been paid.

This may be obtained from the Treasurer's Office in Suite 800 of the Warren County Government Center.

Environmental and Community Impact Statements

NA

The Planning Director, the Planning Commission, and/or the Board of Supervisors reserve the right to ask for an environmental and/or community impact statements, prepared by a certified engineer or other person qualified to perform such work, if they deem it necessary for evaluation of the proposed request.

List of chemicals stored on the site

NA

A complete list of chemicals to be stored on the site in the form of an oath/statement for Industrial zoned properties only.

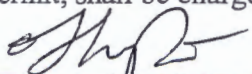
Location Map

A map clearly legible, showing the location of the proposed project in relation to surrounding publicly maintained roads and showing the use of surrounding properties. County staff can assist in obtaining this information.

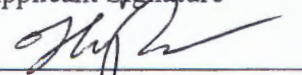
Directions to your property from the Warren County Government Center.

Head SE to 2nd St ^{1/2 mile left} on US-346 South
1.7 miles Right on State Route 619, ~~0.7~~ 4.4 miles
30.7 miles turn right on Lakeside Drive, 0.6 miles
the home is on the right.

I/we the undersigned, do hereby respectfully agree to comply with any conditions required by the Board of Supervisors of the County of Warren, Virginia, and authorize the County personnel to go upon the property for the purpose of making site inspections. Expenses incurred in securing professional assistance in connection with the review of this application for a Conditional Use Permit, shall be charged to the applicant.


Applicant Signature

6/15/22
Date


Property Owner Signature

6/15/22
Date

Accepted by: Chase Lenny

Date: 6/15/2022

PLEASE NOTE: If the required documents are not provided and/or the application is incomplete, your application will not be placed on the Planning Commission Agenda.

NOTES

Statement of Justification

540 Lakeside Dr, Front Royal, VA 22630

Thomas L. Pigeon and Michelle L. Korthauer

This statement is addressed to the Warren County Planning Commission.

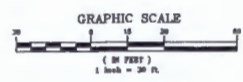
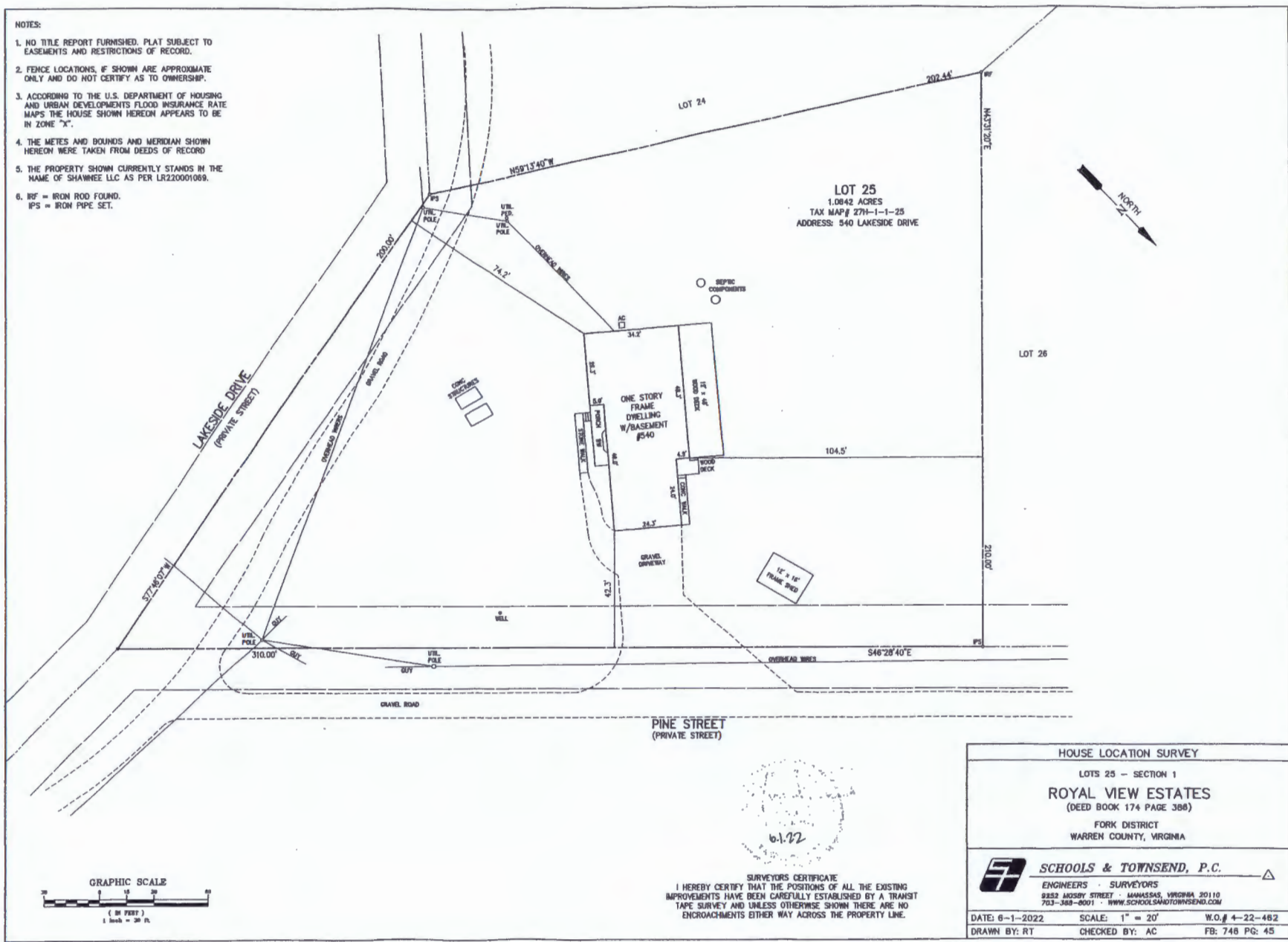
540 Lakeside Dr, Front Royal, VA is a property located in the jurisdiction of Warren County. This property is a second home for Thomas L. Pigeon and Michelle L. Korthauer (owners). This home sits on one acre and the owners own the adjacent 1 acre lot # 26 to the north of the property. This property is located 10 minutes from the entrance to Shenandoah National Park and Skyline Drive, 10 minutes to Skyline Caverns, 20 minutes to Shenandoah River State Park, and only 15 minutes to downtown Front Royal. The home is located perfectly for all that the area has to offer. It is the owner's intention to list this property on Airbnb for Short Term Rentals (STR). Tenants will be chosen on a purposeful, planned, and methodical basis by evaluating their online ranking, and reviews provided by www.airbnb.com. Potential tenants will be properly informed of all property and county policies and procedures.

The owners do live out of state, however, the owners will have a contract with Shenandoah Valley Property Maintenance LLC. to provide onsite services for any maintenance, access, etc. items that may arise and to keep the property in good working order. The owners also are in the process of vetting qualified cohosts that are local to provide cohosting as well.

The owners recognize the positive impact that tourism is bringing to the Shenandoah Valley, and all of the revitalizing that is happening. With almost 2 million visitors a year and growing, Shenandoah National Park is a major contributor to the local economy. Coupling that with all of the outdoor recreation that the river provides, the hiking and camping the mountains are known for, the numerous wineries that are a major attraction in the area, the breath taking fall foliage, and numerous winter activities Shenandoah Valley provides, just to name a few, the owners are excited to share their home with visitors that flock this area each year.

NOTES:

1. NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
2. FENCE LOCATIONS, IF SHOWN ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP.
3. ACCORDING TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S FLOOD INSURANCE RATE MAPS THE HOUSE SHOWN HEREON APPEARS TO BE IN ZONE "X".
4. THE METES AND BOUNDS AND MERIDIAN SHOWN HEREON WERE TAKEN FROM DEEDS OF RECORD.
5. THE PROPERTY SHOWN CURRENTLY STANDS IN THE NAME OF SHAWNEE LLC AS PER LR220001089.
6. IRF = IRON ROD FOUND.
IPS = IRON PIPE SET.



SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINE.



| | | |
|--|-----------------|----------------|
| HOUSE LOCATION SURVEY | | |
| LOTS 25 - SECTION 1 | | |
| ROYAL VIEW ESTATES | | |
| (DEED BOOK 174 PAGE 388) | | |
| FORK DISTRICT | | |
| WARREN COUNTY, VIRGINIA | | |
| SCHOOLS & TOWNSEND, P.C. | | |
| ENGINEERS - SURVEYORS 9252 MADISON STREET - MANASSAS, VIRGINIA 20110 703-368-8001 - WWW.SCHOOLSANDTOWNSEND.COM | | |
| DATE: 6-1-2022 | SCALE: 1" = 20' | W.O.# 4-22-462 |
| DRAWN BY: RT | CHECKED BY: AC | FB: 746 PG: 45 |

Veronica Diamond

From: David Beahm
Sent: Monday, June 27, 2022 11:21 AM
To: Veronica Diamond
Cc: Paula Fristoe
Subject: RE: Request for Comments - Thomas L Pigeon - CUP 2022-07-07 – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000198-2022

Comments 2022-07-07 – Thomas L. Pigeon – Conditional Use Permit for Short-Term Tourist Rental – WCCUP-000198-2022:

NOTE: An outstanding gas appliance permit with completely new system will need to be addressed prior to approval for this request can be given. Permit was issued, but no inspections were ever requested. Owner/applicant can contact the office to address taking care of this items:

- Erosion and Sediment Control Items:
 - There does not appear to be any land disturbance at this time and therefore nothing would be required. If this is not the case, the normal submission process would be required.
- Building Inspections Items:
 - The use of the existing dwelling(s) for a “short-term rental” would require a building permit to establish it as a transient boarding facility which is the term used by the building code for this type of use. The dwelling would receive a new Certificate of Occupancy designating as a short-term rental.
 - Given the timeframe that the structure was originally built it more than likely will require an Electrical permit to meet the building code requirements for this change.
 - This change requires that smoke detectors are installed as required by the Virginia Residential Building Code.

If anything should change in the scope additional requirements may be required.

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.gov
www.warrencountyva.gov

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

From: Veronica Diamond <vdiamond@warrencountyva.gov>
Sent: Thursday, June 23, 2022 1:17 PM
To: David Beahm <Dbeahm@warrencountyva.gov>; Walker, Ashley <ashley.walker@vdh.virginia.gov>; jim.davis@vdh.virginia.gov; Smith, Gregory <gregory.smith@vdh.virginia.gov>
Subject: Request for Comments-Thomas L. Pigeon -CUP 2022-07-07

Good afternoon,

Please see attached documents attached for Thomas L. Pigeon.

CUP2022-07-07

WCCUP-000198-2022

Thank you,

Veronica Diamond

Office Manager

Planning Department

220 N. Commerce Ave., Ste. 400

Front Royal, VA 22630

540-636-3354

vdiamond@warrencountyva.gov



PERMIT

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH

IDENTIFICATION # VAG 401383
DATE OF ISSUE: January 17, 2013

TAX MAP # 27H-1-1-26
EXPIRATION DATE: 8/1/2016

OPERATOR: Daniel & Lenore Marsh
ADDRESS: 540 Lakeside Dr.
Front Royal, VA 22630

*The above operator has made application and in accordance with the regulations of the **BOARD OF HEALTH OF THE COMMONWEALTH OF VIRGINIA** is authorized by the **WARREN COUNTY HEALTH DEPARTMENT** to operate the following:*

- ALTERNATIVE DISCHARGING SYSTEM
SYSTEM TYPE: recirculating sand filter
BEDROOMS IN STRUCTURE: 3 / MAXIMUM OCCUPANCY: 6
DESIGN CAPACITY: 450 gpd / SYSTEM APPROVAL TYPE: General
VPDES General Permit #: VAG 401383
OTHER:

THE ISSUANCE OF THIS OPERATION PERMIT DOES NOT DENOTE OR IMPLY ANY WARRANTY OR GUARANTEE BY THE DEPARTMENT THAT THE DISCHARGING SYSTEM WILL FUNCTION AS DESIGNED (OR WITHIN THE LIMITS OF THE GENERAL PERMIT) FOR ANY SPECIFIED PERIOD OF TIME.

THE OPERATION AND MAINTENANCE OF THIS SYSTEM IS THE RESPONSIBILITY OF THE OWNER AND DISCHARGES IN EXCESS OF THE LIMITS ESTABLISHED IN THE "GENERAL PERMIT", NOW OR IN THE FUTURE, MAY CAUSE THE DEPARTMENT TO MANDATE THE REPAIR, EXPANSION OR REPLACEMENT OF THIS DISCHARGING SYSTEM.

THIS OPERATION PERMIT WILL EXPIRE WITH THE EXPIRATION OF THE GENERAL PERMIT, UNLESS THE OPERATION PERMIT IS SUSPENDED, REVOKED, OR AN EXPIRATION DATE OTHER THAN THAT OF THE GENERAL PERMIT IS NOTED ON THIS OPERATION PERMIT.

THIS ALTERNATIVE DISCHARGING OPERATION PERMIT IS NOT TRANSFERABLE.


HEALTH OFFICIAL


DATE



Scanned

TM: 27H-1-1-26

KW

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

VALLEY REGIONAL OFFICE

4411 Early Road, P.O. Box 3000, Harrisonburg, Virginia 22801
(540) 574-7800 Fax (540) 574-7878

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

Amy Thatcher Owens
Regional Director

July 13, 2011

Daniel S. and Lenore R. Marsh
540 Lakeside Drive
Front Royal, VA 22630

Re: Automatic Renewal of the General VPDES Permit for Domestic Sewage Discharges $\leq 1,000$ GPD, Permit No. VAG401383, Marsh, Daniel S. and Lenore R. Residence
540 Lakeside Drive

Dear Permittee:

The State Water Control Board recently reissued the general VPDES permit for the waste water treatment facility located at this address. According to Department records and Virginia Department of Health records your treatment works qualifies for automatic permit coverage renewal as described in 9VAC25-110-70 1.2.b. Your new permit coverage becomes effective on August 2, 2011, and expires August 1, 2016.

Please continue to operate the treatment works in accordance with the general permit. A copy of the reissued general permit can be found at <http://www.deq.virginia.gov/vpdes/pdf/VAG40-2011-decl.pdf>. A copy of the change of ownership form can be found at http://www.deq.virginia.gov/vpdes/documents/DSDGP_Change_of_Ownership_Form.doc

Note that the monitoring requirements have not changed for this permit reissuance. You should continue to monitor your discharge as you are presently doing. For your convenience, we have attached the monitoring requirements for your facility. If you do not have web access, or would like a paper copy of the entire general permit sent to you, please contact this office.

Please contact Olive Critzer at (540) 574-7877 or at olive.critzer@deq.virginia.gov if you have any questions.

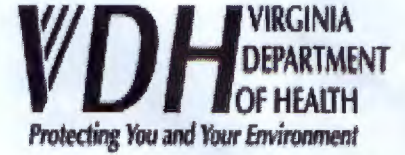
Sincerely,

Brandon D. Kiracofe
Regional Water Permits Manager

Enclosure: Monitoring Requirement Page
cc: VDH Local Health District
FileNet

Lord Fairfax Health District

Warren County Health Department
465 West 15th Street, Suite 200
Front Royal, Virginia 22630
Tel. (540) 635-3159 ~ Fax (540) 635-9698
www.vdh.virginia.gov



July 01, 2022

Matt Wendling, Deputy Planning Director
Warren County Planning and Zoning
220 N Commerce Ave., Suite 400
Front Royal, Virginia 22630

RECEIVED
JUL 05 2022

BY:

RE: Request for Comments (2022-07-07)
Owner: Thomas L. Pigeon

Dear Mr. Wendling,

I have reviewed your request for comments for a CUP for a Short-Term Rental at 540 Lakeside Dr. Front Royal, VA (Tax Map# 27H-1-1-25 & 26) and I offer the following comments:

1. There is a Construction Permit and ROI on file for the referenced property dated 1/1231997 & 3/18/1999 respectively. There is no current Operation Permit on file. The OP for this type of system expires with the General Permit. It appears ownership of this property changed in February 2022. The new owner must file a Transfer of Ownership Form with the Department of Environmental Quality Valley Regional Office to obtain a General Permit. The form is attached.
2. The dwelling is connected to an Alternative Discharging Sewage Treatment System. The system is designed to accommodate Three (3) Bedrooms, Six (6) Occupants and a daily flow of 450 gallons.
3. The owner should be aware that Alternative Discharging Sewage Treatment Systems are required to be monitored at a frequency described under the General Permit issued by the Virginia Department of Environmental Quality (DEQ). A summary of monitoring and reporting requirements are attached. There are no recent monitoring reports on file for this property for the current owner.
4. The dwelling is connected to a Class IIIB private well. A water sample should be collected and analyzed by a state approved laboratory at least annually for the presence/absence of coliform bacteria.
5. All refuse shall be placed in containers with tight-fitting lids.
6. Do not connect any Jacuzzi or hot tub discharge to the sewage disposal system.

Please contact me at (540) 635-3159 should you have any questions.

Sincerely,


Jim Davis
Environmental Health Supervisor

Veronica Diamond

From: Barbara <buckshot10@centurylink.net>
Sent: Wednesday, August 10, 2022 4:31 PM
To: Veronica Diamond
Subject: Short term rental 540 LAKESIDE DRIVE, FRONT ROYAL, VA 22630

I AM BARBARA SEALOCK 644 LAKESIDE DR. A NEIGHBOR TO THIS PROPERTY

MY CONCERNS FOR APPROVAL IS AS FOLLOWS:

- 1 - HOW MANY PEOPLE WILL THEY BE ADVERTISING TO STAY AT SAID PROPERTY. SINCE IT IS A 3 BEDROOM APPROVED SYSTEM MEANING 6 OCCUPANTS. MOST OF THESE 3 B.R. RENTALS ADVERTISE FOR 12-15 PEOPLE. IF 12 PEOPLE STAY PER WEEK X 4 WEEKS YOUR LOOKING AT 48 PEOPLE PER MONTH 15X4 IS 60 PER MONTH. THIS ON SEPTIC, NOT INCLUDING SHOWERS, DISHWASHER, AND DRYER. WHO WILL BE MAINTAINING AND CHECKING. SYSTM? WE HAV A STREAM BELOW WHICH RUNS DIRECTLY INTO HE SHENANDOAH RIVER.
- 2 - GARBGE PICK-UP?? SINCE THEIR IS O GARBAGE PICKUP UNLESS YOU PAY FOR IT? IT NEEDS TO BE TRANSPORTED TO THE TRANSFER STATION ON RT 340. MOST RENTALS RUN FROM SATURDAY AT 3 PM TILL SUNDAY AT 10-11 AM WE CAN NOT AND DO NOT WANT GARBAGE NOT ATTENDED TO, SINCE WE HAVE RACOONS, BEARS, ETC. PLUS WE DO NOT WANT PROBLEMS WITH MICE AND RATS.
- 3- WILL ANIMALS BE ALLOWED? THERE IS NO FENCED IN AREA TO CONTAIN THEM. THERE ARE SMALL CHILDREN ACROSS THE ROAD WHICH LEADS TO CONCERNS.

THANK YOU.

RESPECTFULLY SUBMITTED
BARBARA A SEALOCK
644 LAKESIDE DR,
FROT ROYAL, VA 22630

PHONE: CELL. 540 683-6668

Sent from my iPad



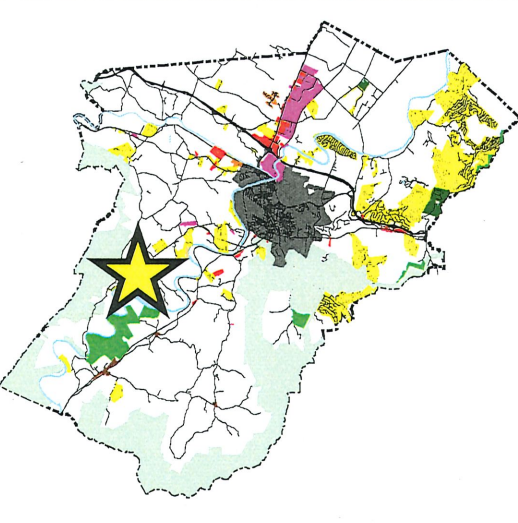
Warren County VA

CUP Location Map



Short Term Tourist Rental
Applicants: Thomas Pigeon

TM 27H--1-1--25
540 Lakeside Drive



Zoning

- Agricultural
- Commercial
- Industrial
- Residential One
- Residential Two
- Suburban Residential
- Village Residential
- Rural Residential
- Right of Way
- Front Royal
- Federal Land
- State Land
- Water
- VOF Conservation Easements
- WC Conservation Easements



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

| | | | |
|------------------------------|--------------------------------|---|----------------------------------|
| DATE 9/06/2022 | ITEM H-19 | SUBJECT: Zoning Text Amendment Z2022-05-01 <i>A request to amend Chapter 180 of the Warren County Code (Zoning Ordinance) to add Light Industrial (LI) Zoning District; to add the definition of "Data center"; to add "Data center" as a use allowed by right in the Industrial (I) zoning district and Light Industrial (LI) Zoning District; and to supplemental regulations for data centers.</i> | PAGE 1 of 1 |
|------------------------------|--------------------------------|---|----------------------------------|

EXPLANATION & SUMMARY:

Attached, please find a proposed amendments and additions to Chapter 180: Zoning Ordinance of the Warren County Code.

The requested amendments and additions are to update Warren County's Zoning Ordinance to be economically competitive and proactive. The concept of Data Centers has been a discussion point for many years in our area and has most recently come up in Comprehensive Plan review sessions. In addition to the proposed changes to the Warren County Code, the Town of Front Royal is proposing similar code language so that both jurisdictions can be consistent with our approach to this ever-growing industry.

Planning Commission Status:

On Wednesday, September 14, 2022, the Planning Commissions will vote on the application since it was postponed at the July 13th meeting since only two Planning Commissioners were in attendance to vote on the application since the Chairman abstained due to a conflict of interest. The public hearing had been held at the June 8th meeting and the Planning Commission tabled the text amendment in order for staff to do research on who was liable for the cost of the infrastructure for Data Centers. The Board will be notified prior to their public hearing on the recommendation from the Planning Commission after their September 14th meeting. See attached supplemental regulations, definitions, and zoning district land uses.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors authorize the proposed zoning ordinance amendment for advertisement for a public hearing.

| | | |
|---|--|----------------------|
| SUBMITTED BY: Matt Wendling CFM Planning Director County Floodplain Manager | DISPOSITION OF COMMISSION: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (Describe) | PROCESSED BY: |
|---|--|----------------------|

ORDINANCE TO AMEND CHAPTER 180 OF THE WARREN COUNTY CODE (ZONING ORDINANCE) TO ADD LIGHT INDUSTRIAL (LI) ZONING DISTRICT; ADD THE DEFINITION OF DATA CENTER; ADD DATA CENTER AS A USE PERMITTED BY RIGHT IN THE INDUSTRIAL (I) AND LIGHT INDUSTRIAL (LI) ZONING DISTRICTS; AND TO ADD SUPPLEMENTAL REGULATIONS FOR DATA CENTERS.

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Sections 180-8, 180-20, 180-28, 180-28.1 and 180-45.1 of the Warren County Code (Zoning Ordinance) be amended, added, and re-ordained as follows:

Chapter 180. Zoning

Article II. Application

§ 180-8. Definitions.

C. Definitions of words and terms. As used in this chapter, the following words and terms shall have the meanings indicated:

...

DATA CENTER

A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations, which may also include other associated utility infrastructure to support sustained operations.

[Added 9-27-2022]

Article IV. District Regulations

§ 180-20 Districts created, enumerated.

[Amended 6-16-1998; 2-5-2002; **9-27-2022**]

The following districts are established:

Agricultural (A)

Residential - 1 (R-1)

Residential - 2 (R-2)

Rural Residential (RR)

Village Residential (VR)

Suburban Residential (SR)

Commercial (C)

Industrial (I)

Light Industrial (LI)

Airport Overlay (AO)

Highway Corridor Overlay (HC)

§ 180-28 Industrial (I) District.

- A. Statement of intent. This district is for a variety of industrial uses which, with appropriate screening and without the emission of noise, dust, smoke, odor, toxic gases or hazardous substances, can be conducted in such a manner as to not adversely affect nearby properties.
- B. Uses permitted by right. Subject to the requirements and limitations of these regulations, any of the following uses is permitted as a matter of right on each lot:
[Amended 12-21-1992; 8-16-1994; 5-16-1995; 5-30-1995; 12-17-1996; 2-17-1998; 7-21-1998; 8-4-1998; 8-18-1998; 3-21-2000; 4-18-2006; 8-15-2006; **9-27-2022**]

...

- (22) Data Center**
[Added 9-27-2022]

§ 180-28.1 Light Industrial (LI) District.

- A. Statement of intent. This district is for a variety of light industrial uses which, with appropriate screening and without the emission of noise, dust, smoke, odor, toxic gases, hazardous substances, or increase the volume of heavy traffic, can be conducted in such a manner as to not adversely affect nearby properties.**
- B. Uses permitted by right. Subject to the requirements and limitations of these regulations, any of the following uses is permitted as a matter of right on each lot.**
 - (1) Offices for executive administrative and data processing activities.**
 - (2) Educational or training institutions.**
 - (3) Warehousing and distribution facilities less than 10,000 square feet.**
 - (4) Commercial nurseries, greenhouses and garden centers.**
 - (5) Day-care or nursery facility.**
 - (6) Public protection facilities: fire departments, rescue squads, police stations or substations.**
 - (7) Technology businesses, including:**
 - (a) Internet service providers.**
 - (b) Software design and development.**
 - (c) Content developers.**
 - (d) Internet-based sales and service.**
 - (e) Telecommunications-based video service providers.**
 - (f) Outbound or inbound call centers.**
 - (8) Buildings used primarily for federal, state, County, or local government purposes.**
 - (9) Data Center**

- C. Accessory uses permitted by right. Accessory uses permitted by right shall be as follows:**
- (1) Day-care or nursery facility.**
 - (2) Types of accessory buildings permitted: garage, tool storage building, shed, portable storage container and/or guardhouse.**
 - (3) Wind energy system, private use.**
 - (4) Solar energy system, private use.**
- D. Uses permitted by conditional use permit. The following named uses may be permitted upon issuance of a conditional use permit by the Board of Supervisors.**
- (1) Dwelling for guard or caretaker.**
 - (2) Radio, television, microwave towers and similar communications structures.**
 - (3) Yard for storage of building materials or contractors' equipment.**
- E. Minimum lot area shall be one acre.**
- F. Minimum lot width shall be 150 feet.**
- G. Maximum length/width ratio shall be 4 to 1.**
- H. Minimum yard depth shall be as follows:**
- (1) Front: 50 feet.**
 - (2) Rear: 15 feet for a principal structure; 10 feet for an accessory structure.**
 - (3) Side: 15 feet for a principal structure; 10 feet for an accessory structure.**
- I. Utility requirement for water and sewer shall be individual, public or approved private.**

Article V. Supplementary Regulations

§ 180-45.1 Data Centers

- A. Statement of intent. These requirements are intended to ensure that the development of data centers, where allowed, is consistent with the goals of the Comprehensive Plan; promote public health, safety and welfare by improving air quality and reducing dust, glare and noise; promote traffic safety by defining circulation patterns; and provide for the protection of the appearance and value of neighboring properties.**
- B. Development standards. All facilities shall be subject to the use limitations and development standards set forth in the underlying land use district; in addition, shall be subject to the following supplemental regulations:**
- (1) Access and internal circulation.**
 - (a) Access and internal circulation shall be designed so as not to impede traffic on a public street. Access by the following means may be approved:**

[1] Provision of shared entrances, interparcel connection and travelways, or on-site service drives connecting adjacent properties.

[2] Access from a secondary public street as opposed to the corridor highway.

[3] Access points, for lots located at an intersection, shall be located the maximum distance possible from existing or proposed intersections.

[4] The internal streets of a commercial, office, or industrial complex.

(2) Setbacks and height.

(a) Setbacks. Minimum yard depth shall be as follows:

[1] Front: 100 feet for structures; 50 feet for parking lots. Reductions to required minimum yard depth may be granted by the Warren County Board of Supervisors and/or Planning Commission, as applicable, during the by-right or conditional use permit approval process where, on account of topographical, depth of lot, or other circumstances applicable to the subject property, without such relief use of the subject property would be effectively prohibited or unreasonably restricted.

[2] Rear and side: 50 feet for structures; 25 feet for parking lots.

(b) Uses and structures permitted in yards. The following uses and structures shall be permitted in the front, side and rear yards subject to the visibility requirements of § 180-12B(5):

[1] Walls, hedges, vegetative plantings, service roads, stormwater management facilities and permitted signs and fences.

(c) Building height. All buildings shall be subject to the height limitations set forth in the underlying land use district.

(3) Parking and landscaping.

(a) Landscaping and parking lots shall be installed in accordance with § 180-49.1 of this chapter.

(b) Parking areas shall be located to the rear or side of the structure(s) or building(s) they are intended to serve whenever possible. Where parking is designed to be located in the front yard setback of the corridor highway, a three-foot berm or wall shall be utilized with a designated street buffer. Where a wall is used, it shall be placed adjacent to the parking areas.

(4) Service areas.

(a) Loading and service bays. Loading areas, service entrances and service bays shall be oriented and/or screened so as not to be visible from the public right-of-way.

(b) Waste disposal areas. Dumpster and other waste disposal areas shall be completely screened from the public view by means of a board-on-board fence and landscaping, or similar opaque material.

- (c) Fences. Chain-link fences, including those with slats, are discouraged, particularly where visible from a public right-of-way. No chain-link fences shall be permitted in the front yard.
- (d) Mechanical equipment. Mechanical equipment shall be shielded and screened from the public view and designed to be perceived as an integral part of the building.
- (5) Building location and treatment.
- (a) Integrated development. All buildings within a property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically. Architectural treatment shall be designed so that all building facades of the same building (whether front, side or rear) that are visible from the public right-of-way, shall consist of similar architectural treatment in terms of materials, quality, appearance and detail.
- (b) Orientation. Building facades and entrances should be oriented in a manner toward the primary means of vehicular access.
- (c) Floor Area: The Floor Area Ratio (total building floor area/total lot area) shall not exceed 0.5.
- (d) Building bulk and mass. All buildings and parking areas should be designed with treatments to break up the mass and bulk. The treatment of buildings shall include vertical architectural treatment at least every 50 feet to break down the scale of the building into smaller components. Any facade with a blank wall must be screened in a manner approved by the Zoning Administrator to comply with applicable provisions of the Warren County Code. Architectural details shall continue on all facades visible from the public right-of-way.
- (e) Materials. Building materials should be typical of those prevalent in Warren County, including stucco, brick, architectural block, wood siding, and standing seam metal roofs. Inappropriate materials include reflective glass and metal wall panels. No facade visible from adjoining property or the public right-of-way shall be constructed of unadorned cinder block, corrugated metal or sheet metal.
- (f) Color. The permanent color of building materials (to be left unpainted) should resemble the predominant tones, primarily earthen tones, along the corridor. Garish and striking colors should be avoided.
- (g) Adjoining historic properties. New construction on properties that adjoin designated historic properties should seek to incorporate the scale, massing and treatment of the historic property into the new construction. Efforts should be made to relate to the building height, when in proximity to the principal historic structure. New construction should not overshadow the adjoining historic property.

(6) Lighting.

(a) Lighting shall be installed in accordance with § 180-49.2 of this ordinance.

DRAFT

Motion to be Made Going into Closed Meeting

I move the Board enter into a closed meeting under the provisions of Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act for the discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, or resignation of a specific public officer of the public body, specifically in regard to the Warren County Planning Commission, the Board of Building Code Appeals, and the Shenandoah Area Agency on Aging.

I also move the Board enter into a closed meeting under the provisions of Section 2.2-3711(A)(3) for the discussion or consideration of the acquisition of real property for a public purpose, such property being located in the Happy Creek Magisterial District outside the limits of the Town of Front Royal, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Finally, I move the Board enter into a closed meeting under the provisions of Sections 2.2-3711(A)(7) and (A)(8) for consultation with legal counsel pertaining to probable litigation and the provision of legal advice regarding the challenge of a tax assessment by Shenandoah Realty Holdings, LLC regarding property located at 1000 North Shenandoah Avenue, Front Royal Virginia, tax map 20A5 3 A, and the Warren County Code related to the refund of erroneous assessments and the abolition of a sanitary district.

- - -

Motion to be Made Coming out of Closed Meeting

I move that the Board certifies to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under Sections 2.2-3711(A)(1), (A)(3), (A)(7), and (A)(8) of the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body.

§ 37.2-508. Performance contract for mental health, developmental, and substance abuse services

A. The Department shall develop and initiate negotiation of the performance contracts through which it provides funds to community services boards to accomplish the purposes set forth in this chapter. In the case of operating boards, the Department may, notwithstanding any provision of law to the contrary, disburse state and federal funds appropriated to it for mental health, developmental, or substance abuse services directly to the operating board, when that operating board is authorized by the governing body of each city or county that established it to receive such funds. Six months prior to the end of an existing contract or, if no contract exists, six months prior to the beginning of each fiscal year, the Department shall make available to the public the standard performance contract form that it intends to use as the performance contract for that fiscal year and solicit public comments for a period of 60 days. Such contracts shall be for a fixed term and shall provide for annual renewal by the Board if the term exceeds one year.

B. Any community services board may apply for the assistance provided in this chapter by submitting to the Department its proposed performance contract together with (i) the approval of its board of directors for operating and administrative policy boards or the comments of the local government department's policy-advisory board and (ii) the approval of the contract by formal vote of the governing body of each city or county that established it. The community services board shall make its proposed performance contract available for public review and solicit public comments for a period of 30 days prior to submitting its proposed contract for the approval of its board of directors for operating and administrative policy boards or the comments of the local government department's policy-advisory board. To avoid disruptions in service continuity and allow sufficient time to complete public review and comment about the contract and negotiation and approval of the contract, the Department may provide semi-monthly payments of state-controlled funds to the community services board. If the governing body of each city or county does not approve the proposed performance contract by September 30 of each year, the performance contract shall be deemed approved or renewed.

C. The performance contract shall (i) delineate the responsibilities of the Department and the community services board; (ii) specify conditions that must be met for the receipt of state-controlled funds; (iii) identify the groups of individuals to be served with state-controlled funds; (iv) contain specific outcome measures for individuals receiving services, provider performance measures, satisfaction measures for individuals receiving services, and participation and involvement measures for individuals receiving services and their family members; (v) contain mechanisms that have been identified or developed jointly by the Department and community services board and that will be employed collaboratively by the community services board and the state hospital to manage the utilization of state hospital beds; (vi) establish an enforcement mechanism, should a community services board fail to be in substantial compliance with its performance contract, including notice and appeal processes and provisions for remediation, withholding or reducing funds, methods of repayment of funds, and the Department's exercise of the provisions of subsection E; and (vii) include reporting requirements and information about

revenues, costs, services, and individuals receiving services displayed in a consistent, comparable format determined by the Department.

The Department may provide for performance monitoring in order to determine whether the community services boards are in substantial compliance with their performance contracts.

D. No community services board shall be eligible to receive state-controlled funds for mental health, developmental, or substance abuse services after September 30 of each year unless (i) its performance contract has been approved or renewed by the governing body of each city or county that established it and by the Department; (ii) it provides service, cost, and revenue data and information and aggregate and individual data and information about individuals receiving services, notwithstanding the provisions of § 37.2-400 or any regulations adopted thereunder, to the Department in the format prescribed by the Department; and (iii) it uses standardized cost accounting and financial management practices approved by the Department.

E. If, after unsuccessful use of a remediation process described in the performance contract, a community services board remains in substantial noncompliance with its performance contract with the Department, the Department may, after affording the community services board an adequate opportunity to use the appeal process described in the performance contract, terminate all or a portion of the contract. Using the state-controlled resources associated with that contract, the Department, after consulting with the governing body of each city or county that established the board, may negotiate a performance contract with another board, a behavioral health authority, or a private nonprofit or for-profit organization or organizations to obtain services that were the subject of the terminated performance contract.

1968, c. 477, § 37.1-198; 1970, c. 346; 1972, c. 498; 1976, c. 671; 1980, c. 582; 1986, c. 176; 1998, c. 680; 2005, cc. 75, 716; 2012, cc. 476, 507, 805, 836.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

RESOLUTION



of the Board of Supervisors of Warren County Regarding a Financing by the Northwestern Community Services Board

WHEREAS, the Northwestern Community Services Board (“the NWCSB”) was created pursuant to Chapter 5, Title 37.2 of the Code of Virginia (1950), as amended, by resolutions of the Common Council of the City of Winchester (“The City”) and the Boards of Supervisors of Frederick, Clarke, Shenandoah, Page, and Warren Counties (collectively “The Counties”); and

WHEREAS, the NWCSB has represented to the City and the Counties that it desires to borrow up to Two Million, Two Hundred Thousand Dollars (\$2,200,000) through a low-interest, 40-year loan with the United States Department of Agriculture (USDA) to fund the acquisition of a certain property located in Page County, Virginia, to be used for an outpatient behavioral health clinic and the payment of the financing costs therefore; and

WHEREAS, approval for the NWCSB to borrow funds described herein by the City and the Counties shall be provided with the concurrence of each of the Member Jurisdictions; and

WHEREAS, Virginia Code Section 37.2-504(11) requires the authorization of the City and the Counties before the NWCSB may borrow money.



NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Warren County, Virginia as follows:

1. The Warren County Board of Supervisors endorses the financing plans of the NWCSB; and
2. To the extent required by law, if at all, the Warren County Board of Supervisors hereby endorses and further approves any necessary and appropriate actions of the NWCSB to effect such financing; and
3. Under no circumstances shall this Resolution, or the loan, financing or payment of debt service on the funding secured by the NWCSB described herein be deemed to be a lending of the City or the Counties, or constitute a general obligation indebtedness or a pledge of the full faith and credit or taxing power of any of the Member Jurisdictions, nor shall anything herein to therein contained legally bind or obligate the City or the Counties to appropriate funds for the purposes described herein.

This Resolution shall be effective immediately.



Memorandum

To: County Administrators/City Manager 
From: Michael F. Elwell, Chief Executive Officer 
Re: Review of NWCS' Fiscal Year 2022 Performance Contract
Date: June 25, 2021

In accordance with State requirements, each locality is asked to review and endorse their area CSB's Performance Contract. Therefore, I am providing pertinent information from that document for your review as submitted to the Virginia Department of Behavioral Health and Developmental Services.

This document reflects allocated Federal, State and local funds, and other reimbursements to be received in order to carry out the work of our Board of Directors for FY 2022. Please note that these amounts are subject to change.

I am requesting that this be presented to your respective Board/Council for endorsement. **Please complete the bottom portion of this memo and return it to my office by September 24, 2021.**

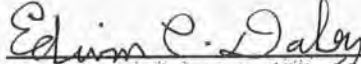
If you have any specific questions, please do not hesitate to call.

Attachment

pc: Ms. Katie Russell, Chief Financial Officer
File

The Board of Supervisors City Council of Warren County, VA reviewed and endorsed

Northwestern CSB's FY 2022 Performance Contract at its July 20, 2021 meeting.


County Administrator/City Manager

Serving Winchester and the Counties of Clarke, Frederick, Page, Shenandoah and Warren

Administrative Offices
209 West Criser Road, Suite 300
Front Royal, Virginia 22630-2360
540-636-4250

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

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Other Performance Contract Document Attachments

- Exhibit A: Resources and Services
- Exhibit B: Continuous Quality Improvement (CQI) Process and CSB Performance Measures
- Exhibit C: Regional Discharge Assistance Program (RDAP) Requirements
- Exhibit D: Individual CSB Performance Measures
- Exhibit E: Performance Contract Schedule and Process
- Exhibit F: Federal Grant Requirements
- Exhibit F(B): Single Audit Exemption Form
- Exhibit G: Core Mandated Services
- Exhibit H: Regional Local Inpatient Purchase of Services (LIPOS) Requirements
- Exhibit I: Behavioral Health Wellness
- Exhibit J: Intentionally Left Blank for Future Use
- Exhibit K: State Hospital Census Management Admission and Discharge Requirements
- Exhibit M: Department of Justice Settlement Agreement
- Addendum I: Administrative Requirements and Processes and Procedures
- Addendum II: Partnership Agreement
- Addendum III: Core Services Taxonomy 7.3

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

1. Purpose

The Department of Behavioral Health and Developmental Services (the “Department”) and the Community Service Boards (the “CSBs”) enter into this contract for the purpose of funding services provided directly or contractually by the CSB in a manner that ensures accountability to the Department and quality of care for individuals receiving services and implements the mission of supporting individuals by promoting recovery, self-determination, and wellness in all aspects of life.

Title 37.2 of the Code of Virginia, hereafter referred to as the Code, establishes the Virginia Department of Behavioral Health and Developmental Services, hereafter referred to as the Department, to support delivery of publicly funded community mental health (MH), developmental (DD), and substance use (SUD), services and supports and authorizes the Department to fund those services.

Sections 37.2-500 through 37.2-512 of the Code require cities and counties to establish community services boards for the purpose of providing local public mental health, developmental, and substance use disorder services; §§ 37.2-600 through 37.2-615 authorize certain cities or counties to establish behavioral health authorities that plan and provide those same local public services.

This contract refers to the community services board, local government department with a policy-advisory community services board, or behavioral health authority named in this contract as the CSB. Section 37.2-500 or 37.2-601 of the Code requires the CSB to function as the single point of entry into publicly funded mental health, developmental, and substance use disorder services. The CSB fulfills this function for any person who is located in the CSB’s service area and needs mental health, developmental, or substance use disorder services.

Sections 37.2-508 and 37.2-608 of the Code and State Board Policy 4018, establish this contract as the primary accountability and funding mechanism between the Department and the CSB, and the CSB is applying for the assistance provided under Chapter 5 or 6 of Title 37.2 by submitting this contract to the Department.

The CSB exhibits, addendums, appendices, Administrative Requirements and Processes and Procedures, CCS Extract, Core Services Taxonomy, and Partnership Agreement documents are incorporated into and made a part of this contract by reference. The documents may include or incorporate ongoing statutory, regulatory, policy, and other requirements that are not contained in this contract. The CSB shall comply with all provisions and requirements. If there is a conflict between provisions in that document and this contract, the language in this contract shall prevail.

2. Defined Terms

Appropriation Act is defined as an Act for the appropriation of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509 of the Code of Virginia and to provide a portion of the revenues for a two year period.

Earmarked Funds are funds identified separately in letters of notification, performance contracts, and CARS reports to be used for specified purposes; but CSBs are not required to account for or report expenditures associated with these funds to the Department. Funds are earmarked in order to track their allocation to particular CSBs. While they are not restricted in terms of separate accounting and reporting by CSBs, earmarked funds are appropriated or allocated for specified purposes, and CSBs are expected to use earmarked funds for the purposes for which they were appropriated or allocated.

Federal Fiscal Year the Federal Fiscal Year begins on October 1 of the calendar and ends on September 31 of the subsequent calendar year.

Federal Funds the Federal Funds are funds that are allocated by the federal government and are provided to the Department of Behavioral Health and Developmental Services as the State of Virginia’s authority for the allocation, management, and oversight for the use of these specific funds. The funds are considered

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

restricted and must be used or encumbered during the federal fiscal year or extensions. Any unused funds are required to be returned to the Department by the CSBs and from there to the federal government in a timely manner.

Fiscal Agent the Fiscal Agent has two specific purposes.

The specific local government that is selected by the local governments or government participating in the establishment of a specific CSB or BHA and identified in the local resolutions passed by each locality in its creation of the CSB or BHA. If the participating governments decide to select a different fiscal agent, it must be done through a local resolution passed by each participating local government that created the CSB or BHA.

The second purpose of Fiscal Agent is the specific CSB or BHA that has been selected by the CSB Region to receive state controlled funds from the Department and manage those funds in a way that has been identified in a memorandum of understanding (MOU) agreed to by each participating CSB in a regionally funded activity. If the CSB acting as Fiscal Agent changes by decision of the Regional CSBs, then that change must be noted in a revision to the existing MOU.

Memorandum of Understanding (MOU) – A memorandum of understanding is an agreed upon process for the management of services, funds, or any rules or regulations that govern the processes all participating parties agree to follow for the common good of the participating parties. In the case of the Community Services Performance Contract, or any activities funded through the Community Service Performance Contract, the MOU is agreed upon and signed for the delivery of services identified and funded through the Region the participating community services boards or behavioral health authority provide services in.

Populations Served-The CSB shall provide needed services to adults with serious mental illnesses, children with or at risk of serious emotional disturbance, individuals with developmental disabilities, or individuals with substance use disorders to the greatest extent possible within the resources available to it for this purpose. The current Core Services Taxonomy 7.3 defines these populations.

Restricted Funds are funds identified separately in letters of notification, performance contracts, Exhibits D and Community Automated Reporting System (CARS) reports to be used for specified purposes; CSBs must account for and report expenditures associated with these funds to the Department. This requirement is reflected in the CARS report forms with columns for expenditures and balances that are completed for any restricted funds received by a CSB. The uses of restricted funds usually are controlled and specified by a funding source, such as federal mental health and substance abuse block grants or the Appropriations Act passed by the General Assembly. The Department restricts funds that would otherwise be earmarked or un-earmarked. An example is Other Funds, which are restricted in order to calculate balances of unexpended funds.

State Fiscal Year the State Fiscal Year (FY) begins July 1 of the calendar year and ends June 30 of the subsequent calendar year.

State General Funds these are funds that are appropriated by the Virginia General Assembly and are identified in each current Appropriation Act. The act is not considered law until it is signed by the Governor of Virginia.

Unrestricted Funds are funds identified separately in letters of notification, performance contracts, and CARS reports but without specified purposes; CSBs do not have to account for or report expenditures associated with them separately to the Department. Examples of un-earmarked funds would be ongoing State General Funds and Local Matching Funds.

3. Relationship

The Department functions as the state authority for the public mental health, developmental, and substance use disorder services system, and the CSB functions as the local authority for that system. The relationship between and the roles and responsibilities of the Department, the state hospitals and the CSBs are described in

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

the Partnership Agreement between the parties. This contract shall not be construed to establish any employer-employee or principal-agent relationship between employees of the CSB or its board of directors and the Department.

4. Term and Termination

Term: This contract shall be in effect for a term of two years, commencing on July 1, 2021 and ending on June 30, 2023 unless either party gives ninety 90 days or more advance written notice of intent not to renew.

Termination: The Department may terminate all or a portion of this contract immediately at any time during the contract period if funds for this activity are withdrawn or not appropriated by the General Assembly or are not provided by the federal government. In this situation, the obligations of the Department and the CSB under this contract shall cease immediately. The CSB and Department shall make all reasonable efforts to ameliorate any negative consequences or effects of contract termination on individuals receiving services and CSB staff.

The CSB may terminate all or a portion of this contract immediately at any time during the contract period if funds for this activity are withdrawn or not appropriated by its local government(s) or other funding sources. In this situation, the obligations of the CSB and the Department under this contract shall cease immediately. The CSB and Department shall make all reasonable efforts to ameliorate any negative consequences or effects of contract termination on individuals receiving services and CSB staff.

5. Contract Amendment

This contract, including all exhibits and incorporated documents, constitutes the entire agreement between the Department and the CSBs and may be amended only by mutual agreement of the parties, in writing and signed by the parties hereto, except for the services identified in Exhibit A, amendments to services under Exhibit A shall be in accordance with the performance contract revision instructions contained in Exhibit E.

6. Services

Exhibit A of this contract includes all mental health, developmental, and substance use disorder services provided or contracted by the CSBs that are supported by the resources described in this contract. Services and certain terms used in this contract are defined in the current Core Services Taxonomy 7.3.

7. Service Change Management

The CSBs shall notify the Department 30 days prior to seeking to provide a new category or subcategory or stops providing an existing category or subcategory of services if the service is funded with more than 30 percent of state or federal funds or both. The CSB shall provide sufficient information to the Office of Management Services (OMS) through the performancecontractsupport@dbhds.virginia.gov for its review and approval of the change, and the CSB shall receive the Department's approval before implementing the new service or stopping the existing service.

Pursuant to 12VAC35-105-60 of the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*, the CSB shall not modify a licensed service without submitting a modification notice to the Office of Licensing in the Department at least 45 days in advance of the proposed modification.

The CSB operating a residential crisis stabilization unit (RCSU) shall not increase or decrease the licensed number of beds in the RCSU or close it temporarily or permanently without providing 30 days advance notice to the Office of Licensing and the OMS, and receiving the Department's approval prior to implementing the change.

8. Funding Requirements

A. Funding Resources

Exhibit A of this contract provides an example of the following resources: state funds and federal funds appropriated by the General Assembly and allocated by the Department to the CSB and any other funds associated with or generated by the services shown in Exhibit A. CSB must review their CARS application for the most recent version of Exhibit A.

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

B. Funding Allocations

1. The Department shall inform the CSBs of its state and federal fund allocations in a letter of notification (LON). Allocations of state and federal funds shall be based on state and federal statutory and regulatory requirements, provisions of the Appropriation Act, State Board policies, and previous allocation amounts.
2. The Department may reduce restricted or earmarked state or federal funds during the contract term if the CSB reduces significantly or stops providing services supported by those funds as documented in CCS Extract or CARS reports. These reductions shall not be subject to provisions in sections 16.A. of this contract. The Commissioner or designee shall communicate all adjustments to the CSBs in writing.
3. Continued disbursement of semi-monthly payments of restricted or earmarked state or federal funds by the Department to the CSBs may be contingent on documentation in the CSB's CCS Extract and CARS reports that it is providing the services supported by these funds.

C. Expenses for Services

The CSBs shall provide those services funded within the funds and for the costs set forth in Exhibit A and documented in the CSB's financial management system. The CSB shall distribute its administrative and management expenses across the three program areas (mental health, developmental, and substance use disorder services), emergency services, and ancillary services on a basis that is auditable and satisfies Generally Accepted Accounting Principles. CSB administrative and management expenses shall be reasonable and subject to review by the Department.

D. Use of Funds

1. The Department can attach specific conditions or requirements for use of funds, separate from those established by other authorities, only to the state and federal funds that it allocates to the CSB and not more than the 10 percent local matching funds that are required to obtain the CSB's state fund allocations.
2. The CSB shall maximize billing and collecting Medicaid payments and other fees in all covered services to enable more efficient and effective use of the state and federal funds allocated to it.

E. Availability of Funds

The Department and the CSB shall be bound by the provisions of this contract only to the extent of the funds available or that may hereafter become available for the purposes of the contract.

F. Local Match

Pursuant to State Board Policy 6005 and based on the Appropriation Act prohibition against using state funds to supplant funds provided by local governments for existing services, there should be no reduction of local matching funds as a result of a CSB's retention of any balances of unspent state funds.

G. Local Contact for Disbursement of Funds

1. If the CSB is an operating CSB and has been authorized by the governing body of each city or county that established it to receive state and federal funds directly from the Department and act as its own fiscal agent pursuant to Subsection A.18 of § 37.2-504 of the Code, must send notification to include:
 - a) Name of the Fiscal Agent's City Manager or County Administrator or Executive
 - b) Name of the Fiscal Agent's County or City Treasurer or Director of Finance
 - c) Name, title, and address of the Fiscal Agent official or the name and address of the CSB if it acts as its own fiscal agent to whom checks should be electronically transmitted
2. The notification must be sent to:

Fiscal and Grants Management Office
Virginia Department of Behavioral Health and Developmental Services,
Eric.Billings@dbhds.virginia.gov

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H. Unanticipated Changes in the Use of Funds due to a Disaster

The Department reserves the right to re-purpose the currently allocated funds to a CSB. This action will not be done without clear deliberations between the Department and the CSBs/BHA. The decision can rest on the requirements outlined in an Executive Order Issued by the Governor, changes to the ability of the Department or the CSBs to provide contracted services to the preservation of health and safety of individuals receiving services or the health and safety of staff providing services, or to decisions made by local government forbidding the provision of services, the funding allocations, the specific services intended to be funded, and the types and numbers of individuals projected to be served.

9. CSB Responsibilities

A. Exhibit A

Shall be submitted electronically through the CARS application. The CSB shall provide the services funded and the costs associated with those service in Exhibit A of CARS. The CSB shall provide the projected array of services, the projected cost of those services, the projected service capacity to provide those services, and the projected cost for those services in Exhibit A.

B. Populations Served

The CSB shall provide needed services to adults with serious mental illnesses, children with or at risk of serious emotional disturbance, individuals with developmental disabilities, or individuals with substance use disorders to the greatest extent possible within the resources available to it for this purpose. The current Core Services Taxonomy 7.3 defines these populations.

C. Scope of Services

The scope of services a CSB may be responsible for providing and the specific core service categories and sub-categories are defined in the Core Services Taxonomy 7.3. See Exhibit G for the list of Code mandated services a CSB shall be responsible for providing.

1. **Same Day Access (SDA)** - SDA means an individual may walk into or contact a CSB to request mental health or substance use disorder services and receive a comprehensive clinical behavioral health assessment, not just a screening, from a licensed or license-eligible clinician the same day. Based on the results of the comprehensive assessment, if the individual is determined to need services, the goal of SDA is that he or she receives an appointment for face-to-face or other direct services in the program offered by the CSB that best meets his or her needs within 10 business days, sooner if indicated by clinical circumstances.
 - a. SDA emphasizes engagement of the individual, uses concurrent EHR documentation during the delivery of services, implements techniques to reduce appointment no shows, and uses centralized scheduling. If it has received state mental health funds to implement SDA, the CSB shall report SDA outcomes through the CCS Extract outcomes file. The CSB shall report the date of each SDA comprehensive assessment, whether the assessment determined that the individual needed services offered by the CSB, and the date of the first service offered at the CSB for all individuals seeking mental health or substance use disorder services from the CSB.
 - a. The Department shall measure SDA by comparing the date of the comprehensive assessment that determined the individual needed services and the date of the first CSB face-to-face or other direct service offered to the individual. SDA benchmarks can be found in Exhibit B.
2. **Primary Care Screening and Monitoring** -Any child diagnosed with a serious emotional disturbance and receiving ongoing CSB behavioral health service or any adult diagnosed with a serious mental illness and receiving ongoing CSB behavioral health service will be provided or referred for a primary care screening on a yearly basis.
 - a. For the implementation of “ongoing behavioral health service” is defined as “child with SED receiving Mental Health Targeted Case Management or adult with SMI receiving Mental Health Targeted Case Management”. These clients are required to be provided with a yearly primary care screening to include, at minimum, height, weight, blood pressure, and BMI. This screening may be done by the CSB or the individual may be referred to a primary care provider to have

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

- this screening completed.
- b. If the screening is done by a primary care provider, the CSB is responsible for the screening results to be entered in the patient's CSB electronic health record. The CSB will actively support this connection and coordinate care with physical health care providers for all service recipients.
 - c. CSB shall screen and monitor any individual over age 3 being prescribed an antipsychotic medication by a CSB prescriber for metabolic syndrome following the American Diabetes Association guidelines.
 - d. Individuals with serious mental illness (SMI), a population primarily served by the CSBs, are known to be at higher risk for poor physical health outcomes largely due to unidentified chronic conditions. Therefore it is important for behavioral health staff to provide primary care screening to identify and provide related care coordination to ensure access to needed physical health care.
 - e. For the population includes all individuals over age 3 who receive psychiatric medical services by the CSB. CSBs must report the screen completion and monitoring completion in CCS monthly submission.
3. **Outpatient Services** - Outpatient services are considered to be foundational services for any behavioral health system. The Core Services Taxonomy 7.3 states that outpatient services may include diagnosis and evaluation, screening and intake, counseling, psychotherapy, behavior management, psychiatry, psychological testing and assessment, laboratory and ancillary services.
- a. The quality of outpatient behavioral health services is the key component of this step and CSBs shall provide an appointment to a high quality CSB outpatient provider or a referral to a non-CSB outpatient behavioral health service within 10 business days of the completed SDA intake assessment, if clinically indicated.
 - b. All CSBs will establish a quality management program and continuous quality improvement plan to assess the access, quality, efficiency of resources, behavioral healthcare provider training, and patient outcomes of those individuals receiving outpatient services through the CSBs.
 - c. This may include improvement or expansion of existing services, the development of new services, or enhanced coordination and referral process to outpatient services not directly provided by the CSB.
 - d. Expertise in the treatment of trauma related conditions are to be established.
 - e. CSBs should provide a minimum for outpatient behavioral healthcare providers of 8 hours of trauma focused training in treatment modalities to serve adults, children/adolescents and their families within the first year of employment and 4 hours in each subsequent years or until 40 hours of trauma-focused treatment can be demonstrated.
 - f. The CSB shall complete and submit to the Department quarterly DLA-20 composite scores through CCS as well as provide training data regarding required trauma training yearly in July when completing federal Block Grant reporting.
4. **Service Members, Veterans, and Families (SMVF)**- As one of the nine required services for System Transformation Excellence and Performance (STEP-VA), the purpose of the Service Members Veterans and Families (SMVF) step is to ensure SMVF receive needed mental health, substance abuse, and supportive services in the most efficient and effective manner available. Services shall be high quality, evidence-based, trauma-informed, culturally-competent, and accessible. Per the Code of Virginia, CSB core services, as of July 1, 2021 shall include mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility.
- a. All CSBs shall ensure they have clinician(s) who specialize in treatment for post-traumatic stress disorder and other forms of trauma including from military and/or combat service including military sexual trauma and substance use disorders.
 - b. CSBs shall ensure behavioral health services including but not limited to SMI, SUD, Co-Occurring and Youth/Adolescents. Clinical services for this population shall align with federal

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

- clinical guidelines from Veterans Affairs and Department of Defense can be found at <https://www.healthquality.va.gov>.
- c. CSBs shall identify and refer SMVF seeking services to internal providers that have been trained in military cultural competency (MCC); collaborate with Military Treatment Facilities (MTFs), Veterans Health Administration (VHA) facilities, Virginia Department of Veterans Services (DVS) programs and other external providers to determine SMVF eligibility for services, and assist SMVF with services navigation.
 - d. The CSB shall submit information on SMVF receiving services in CCS monthly submission.
5. **Case Management Services Training-**The CSB shall ensure that all direct and contract staff that provide case management services have completed the case management curriculum developed by the Department and that all new staff complete it within 30 days of employment. The CSB shall ensure that developmental disability case managers or support coordinators complete the ISP training modules developed by the Department within 60 days of their availability on the Department's web site or within 30 days of employment for new staff.
 6. **Developmental Case Management Services Organization-** The CSB shall structure its developmental case management or support coordination services so that a case manager or support coordinator does not provide a DD Waiver service other than services facilitation and a case management or support coordination service to the same individual. This will ensure the independence of services from case management or service coordination and avoid perceptions of undue case management or support coordination influence on service choices by an individual.
 7. **Access to Substance Abuse Treatment for Opioid Abuse -**The CSB shall ensure that individuals requesting treatment for opioid drug abuse, including prescription pain medications, regardless of the route of administration, receive rapid access to appropriate treatment services within 14 days of making the request for treatment or 120 days after making the request if the CSB has no capacity to admit the individual on the date of the request and within 48 hours of the request it makes interim services, as defined in 45 CFR § 96.126, available until the individual is admitted.
 8. **Crisis Intervention Team (CIT) Services –** If the CSB receives CIT funding it shall:
 - f. Work with community stakeholders, agencies, and partners across systems to coordinate the implementation and operation of the CIT Assessment Site and provide related access to appropriate services in accordance with its RFP response approved by the Department.
 - g. Submit narrative semi-annual progress reports on these services through the Department's sFTP server and upload them to the Jail Diversion Folder within 45 calendar days of the end of the second quarter and within 60 days of the end of the fiscal year.
 - h. Reports shall include a brief narrative of program activities for all CIT aspects of the services, implementation progress against milestones identified in the approved RFP response, and specific site-related challenges and successes for the reporting period.
 - i. Instructions for naming the files are in the Data Reporting Manual provided by the Department to CSBs that received CIT funds.
 - j. Include all funds, expenditures, and costs associated with these services provided to individuals residing in the CSB's service area in its Community Automated Reporting System (CARS) reports and applicable data about individuals receiving these services and service units received in its monthly CCS extracts submitted to the Department.
 - k. Submit quarterly data files as instructed by the Department using the Excel Data Template provided by the Department to CSBs that received CIT funds. Submit quarterly data reports within 45 calendar days of the end of the first three quarters and within 60 days of the end of the fiscal year. Submit the data files through the Department's sFTP server and upload them to

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Department as meeting the requirements for completion of forensic evaluations authorized under § 19.2-169.1, § 19.2-169.5, § 19.2-182.2, and § 19.2-182.5 of the Code of Virginia.

- f. The CSB shall provide discharge planning for persons found not guilty by reason of insanity. Pursuant to § 19.2-182.2 through § 19.2-182.7, and § 19.2-182.11 of the Code of Virginia, the CSB shall provide discharge planning, collaborate with the state facility staff in preparing conditional release plans, implement the court's conditional release orders, and submit written reports to the court on the person's progress and adjustment in the community no less frequently than every six months for acquittees who have been conditionally released to a locality served by the CSB. The CSB should provide to the Department's Director of Forensic Services written monthly reports on the person's progress and adjustment in the community for their first 12 continuous months in the community for acquittees who have been conditionally released to a locality served by the CSB and copies of court orders regarding acquittees on conditional release.
 - g. If an individual with a forensic status does not meet the criteria for admission to a state hospital, his psychiatric needs should be addressed in the local jail, prison, detention center, or other correctional facility in collaboration with local treatment providers.
10. **Permanent Supportive Housing (PSH)** - If the CSB receives state mental health funds for PSH for adults with serious mental illness, it shall fulfill these requirements:
- a. Comply with requirements in the PSH Initiative Operating Guidelines and any subsequent additions or revisions to the requirements agreed to by the participating parties. If the implementation of the program is not meeting its projected implementation schedule, the CSB shall provide a written explanation to and seek technical assistance from the Office of Adult Community Behavioral Health Services in the Department.
 - b. Ensure that individuals receiving PSH have access to an array of clinical and rehabilitative services and supports based on the individual's choice, needs, and preferences and that these services and supports are closely coordinated with the housing-related resources and services funded through the PSH initiative.
 - c. Assist Department staff as requested with any case-level utilization review activities, making records of individuals receiving PSH available and providing access to individuals receiving PSH for interviews.
 - d. Track and report the expenditure of restricted state mental health PSH funds separately in the implementation status reports required in subsection f below. Based on these reports, the Department may adjust the amount of state funds on a quarterly basis up to the amount of the total allocation to the CSB. The CSB shall include applicable information about individuals receiving PSH services and the services they receive in its information system and CCS Extract monthly extracts.
 - e. Reserve any current restricted state mental health funds for PSH that remain unspent at the end of the fiscal year to be used only for PSH activities in subsequent fiscal years as authorized by the Department.
 - f. Submit implementation status reports for PSH within 45 days after the end of the quarter for the first three quarters and within 60 days of the end of the fiscal year to the Department. Submit data about individuals following guidance provided by the Office of Adult Community Behavioral Health and using the tools, platforms, and data transmission requirements provided by the Department. Establish mechanisms to ensure the timely and accurate collection and transmission of data. The Department shall provide the data collection and reporting database, submission due dates, and reporting protocols to the CSB in sufficient time to allow it to comply with them.
 - g. Participate in PSH training and technical assistance in coordination with the Office of Adult

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Community Behavioral Health Services and any designated training and technical assistance providers.

11. **Residential Crisis Stabilization Units (RCSU)** - The CSB operating a RCSU shall staff and operate
 - a. the unit so that it can admit individuals 24 hours per day and seven days per week.
 - b. the unit shall accept any appropriate individuals under temporary detention orders (TDOs) and establish clinical criteria specifying the types of individuals under TDOs that it will accept.
 - c. the CSB shall provide a copy of the criteria to the Department upon request for its review and approval. The unit shall implement a written schedule of clinical programming that covers at least eight hours of services per day and seven days per week that is appropriate for the individuals receiving crisis services and whenever possible incorporates evidence-based and best practices.
 - d. the RCSU shall provide a mix of individual, group, or family counseling or therapy, case management, psycho-educational, psychosocial, relaxation, physical health, and peer-run group services; access to support groups such as Alcoholics Anonymous or Narcotics Anonymous; access to a clinical assessment that includes ASAM Level of Care and medically monitored highly intensive residential services that have the capacity for medication assisted treatment when a substance use disorder is indicated; and other activities that are appropriate to the needs of each individual receiving services and focuses on his or her recovery.
 - e. the CSB shall comply with the requirements provided by the Department in its current Residential Crisis Stabilization Unit Expectations document.
12. **Regional Programs** -The CSB shall manage or participate in the management of, account for, and report on regional programs in accordance with the Regional Program Operating Principles and the Regional Program Procedures in the Core Services Taxonomy 7.3. The CSB agrees to participate in any utilization review or management activities conducted by the Department involving services provided through a regional program.
13. **Response to Complaints:** Pursuant to § 37.2-504 or § 37.2-605 of the Code, the CSB shall implement procedures to satisfy the requirements for a local dispute resolution mechanism for individuals receiving services and to respond to complaints from individuals receiving services, family members, advocates, or other stakeholders as expeditiously as possible in a manner that seeks to achieve a satisfactory resolution and advises the complainant of any decision and the reason for it. The CSB shall acknowledge complaints that the Department refers to it within five business days of receipt and provide follow up commentary on them to the Department within 10 business days of receipt. The CSB shall post copies of its procedures in its public spaces and on its web site, provide copies to all individuals when they are admitted for services, and provide a copy to the Department upon request.

D. Quality of Care

1. **Department CSB Performance Measures:** CSB staff shall monitor the CSB's outcome and performance measures in Exhibit B, identify and implement actions to improve its ranking on any measure on which it is below the benchmark, and present reports on the measures and actions at least quarterly during scheduled meetings of the CSB board of directors.
2. **Quality Improvement and Risk Management:** The CSB shall develop, implement, and maintain a quality improvement plan, itself or in affiliation with other CSBs, to improve services, ensure that services are provided in accordance with current acceptable professional practices, and address areas of risk and perceived risks. The quality improvement plan shall be reviewed annually and updated at least every four years.
 - b. The CSB shall develop, implement, and maintain, itself or in affiliation with other CSBs, a risk management plan or participate in a local government's risk management plan. The

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CSB shall work with the Department to identify how the CSB will address quality improvement activities.

- c. The CSB shall implement, in collaboration with other CSBs in its region, the state hospital(s) and training centers serving its region, and private providers involved with the public mental health, developmental, and substance use disorder services system, regional utilization management procedures and practices.
3. **Critical Incidents:** The CSB shall implement procedures to insure that the executive director is informed of any deaths, serious injuries, or allegations of abuse or neglect as defined in the Department's Licensing (12VAC35-105-20) and Human Rights (12VAC35-115-30) Regulations when they are reported to the Department. The CSB shall provide a copy of its procedures to the Department upon request.
 - e. If any CSB employees are being paid totally with Federal Mental Health or SABG funds at a direct annual salary (not including fringe benefits and operating costs) in excess of Level II of the federal Executive Schedule. They must provide written notification to the Department to include names and titles of those employees.
 - f. The CSB assures that it is and will continue to be in full compliance with the applicable provisions of 45 CFR Part 54, Charitable Choice Regulations, and 45 CFR Part 87, Equal Treatment for Faith- Based Organizations Regulations, in its receipt and use of federal Mental Health Services and SABG funds and federal funds for Projects for Assistance in Transitions from Homelessness programs. Both regulations prohibit discrimination against religious organizations, provide for the ability of religious organizations to maintain their religious character, and prohibit religious organizations from using federal funds to finance inherently religious activities.

E. Reporting Requirements and Data Quality

1. Individual Outcome and CSB Provider Performance Measures

- a.) **Measures:** Pursuant to § 37.2-508 or § 37.2-608 of the Code, the CSB shall report the data for individual outcome and CSB provider performance measures in Exhibit B of this contract to the Department.
- b.) **Individual CSB Performance Measures:** The Department may negotiate specific, time-limited measures with the CSB to address identified performance concerns or issues. The measures shall be included as Exhibit D of this contract.
- c.) **Individual Satisfaction Survey:** Pursuant to § 37.2-508 or § 37.2-608 of the Code, the CSB shall participate in the Annual Survey of Individuals Receiving MH and SUD Outpatient Services, the Annual Youth Services Survey for Families (i.e., Child MH survey), and the annual QSRs and the NCI Survey for individuals covered by the DOJ Settlement Agreement.

2. Electronic Health Record

The CSBs shall implement and maintain an electronic health record (EHR) that has been fully certified and is listed by the Office of the National Coordinator for Health Information Technology-Authorized Testing and Certification Body to improve the quality and accessibility of services, streamline and reduce duplicate reporting and documentation requirements, obtain reimbursement for services, and exchange data with the Department and its state hospitals and training centers and other CSBs.

3. Reporting Requirements

For purposes of reporting to the Department, the CSB shall comply with State Board Policy 1030 and shall:

- a.) provide monthly Community Consumer Submission (CCS) extracts that report individual characteristic and service data to the Department, as required by § 37.2- 508 or § 37.2-608 of the Code, the federal Substance Abuse and Mental Health Services Administration, and Part C of Title XIX of the Public Health Services Act - Block Grants, § 1943 (a) (3) and § 1971 and §

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1949, as amended by Public Law 106- 310, and as permitted under 45 CFR §§ 164.506 (c) (1) and (3) and 164.512 (a) (1) and (d) of the HIPAA regulations and §32.1-127.1:03.D (6) of the Code, and as defined in the current CCS Extract Specifications, including the current Business Rules.

- b.) follow the current Core Services Taxonomy 7.3 and CCS Extract Specifications, when responding to reporting requirements established by the Department;
- c.) complete the National Survey of Substance Abuse Treatment Services (N-SSATS) annually that is used to compile and update the National Directory of Drug and Alcohol Abuse Treatment Programs and the on-line Substance Abuse Treatment Facility Locator;
- d.) follow the user acceptance testing process described in Appendix D of the CSB Administrative Requirements for new CCS Extract releases and participate in the user acceptance testing process when requested to do so by the Department;
- e.) report service data on substance abuse prevention and mental health promotion services provided by the CSB that are supported wholly or in part by the SABG set aside for prevention services through the prevention data system planned and implemented by the Department in collaboration with the VACSB DMC, but report funding, expenditure, and cost data on these services through CARS); and report service, funding, expenditure, and cost data on any other mental health promotion services through CCS Extract and CARS;
- f.) supply information to the Department's Forensics Information Management System for individuals adjudicated not guilty by reason of insanity (NGRI), as required under § 37.2-508 or § 37.2-608 of the Code and as permitted under 45 CFR §§ 164.506 (c) (1) and (3), 164.512 (d), and 164.512 (k) (6) (ii);
- g.) report data and information required by the current Appropriation Act; and
- h.) report data identified collaboratively by the Department and the CSB working
- i.) through the VACSB DMC

4. **Routine Reporting Requirements**

The CSB shall account for all services, funds, expenses, and costs accurately and submit reports to the Department in a timely manner using current CARS, CCS, or other software provided by the Department. All reports shall be provided in the form and format prescribed by the Department. The CSB shall provide the following information and meet the following reporting requirements:

- a.) types and service capacities of services provided, costs for services provided, and funds received by source and amount and expenses paid by program area and for emergency and ancillary services semi-annually in CARS, and state and federal block grant funds expended by service category with the end-of-the-fiscal year CARS report;
 - b.) demographic characteristics of individuals receiving services and types and amounts of services provided to each individual monthly through the current CCS;
 - c.) Federal Balance Report;
 - d.) PATH reports (mid-year and at the end of the fiscal year);
 - e.) amounts of state, local, federal, Medicaid, other fees, other funds used to pay for services by service category in each program area and emergency and ancillary services in the end of the fiscal year CARS report; and
 - f.) other reporting requirements in the current CCS Extract Specifications.
5. **Subsequent Reporting Requirements:** In accordance with State Board Policy 1030, the CSB shall work with the Department through the VACSB DMC to ensure that current data and reporting requirements are consistent with each other and the current Core Services Taxonomy

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7.3, the current CCS Extract, and the federal substance abuse Treatment Episode Data Set (TEDS) and other federal reporting requirements. The CSB also shall work with the Department through the VACSB DMC in planning and developing any additional reporting or documentation requirements beyond those identified in this contract to ensure that the requirements are consistent with the current taxonomy, the current CCS Extract, and the TEDS and other federal reporting requirements.

6. **Data Elements:** The CSB shall work with the Department through the DMC to standardize data definitions, periodically review existing required data elements to eliminate elements that are no longer needed, minimize the addition of new data elements to minimum necessary ones, review CSB business processes so that information is collected in a systematic manner, and support efficient extraction of required data from CSB electronic health record systems whenever this is possible.
7. **Streamlining Reporting Requirements:** The CSB shall work with the Department through the VACSB DMC to review existing reporting requirements including the current CCS Extract to determine if they are still necessary and, if they are, to streamline and reduce the number of portals through which those reporting requirements are submitted as much as possible; to ensure reporting requirements are consistent with the current CCS Extract Specifications and Core Services Taxonomy 7.3; and to maximize the interoperability between Department and CSB data bases to support the electronic exchange of information and comprehensive data analysis.
8. **Data Quality:** The CSB shall review data quality reports from the Department on the completeness and validity of its CCS Extract data to improve data quality and integrity. When requested by the Department, the CSB executive director shall develop and submit a plan of correction to remedy persistent deficiencies in the CSB's CCS Extract submissions and, upon approval of the Department, shall implement the plan of correction.
9. **Providing Information:** The CSB shall provide any information requested by the Department that is related to the services, funds, or expenditures in this contract or the performance of or compliance with this contract in a timely manner, considering the type, amount, and availability of information requested. Provision of information shall comply with applicable laws and regulations governing confidentiality, privacy, and security of information regarding individuals receiving services from the CSB.
10. **Reviews:** The CSB shall participate in the periodic, comprehensive administrative and financial review of the CSB conducted by the Department to evaluate the CSB's compliance with requirements in the contract and CSB Administrative Requirements and the CSB's performance. The CSB shall address recommendations in the review report by the dates specified in the report or those recommendations may be incorporated in an Exhibit D.
11. **Constitution of the CSB:** The resolutions or ordinances currently in effect that were enacted by the governing body or bodies of the local government or governments to establish the CSB are consistent with applicable statutory requirements in §§ 37.2-500, 37.2- 501, and 37.2-502 or §§ 37.2-601, 37.2-602, and 37.2-603 of the Code and accurately reflect the current purpose, roles and responsibilities, local government membership, number and type of CSB board member appointments from each locality, the CSB's relationship with its local government or governments, and the name of the CSB.

10. Subcontracting

A subcontract means a written agreement between the CSB and another party under which the other party performs any of the CSB's obligations. Subcontracts, unless the context or situation supports a different interpretation or meaning, also may include agreements, memoranda of understanding, purchase orders, contracts, or other similar documents for the purchase of services or goods by the CSB from another organization or agency or a person on behalf of an individual.

If the CSB hires an individual not as an employee but as a contractor (e.g., a part-time psychiatrist) to work in

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its programs, this does not constitute subcontracting under this section. CSB payments for rent or room and board in a non-licensed facility (e.g., rent subsidies or a hotel room) do not constitute subcontracting under this section, and the provisions of this section, except for compliance with the Human Rights regulations, do not apply to the purchase of a service for one individual.

The CSB may subcontract any requirements in this contract. The CSB shall remain fully and solely responsible and accountable for meeting all of its obligations and duties under this contract, including all services, terms, and conditions, without regard to its subcontracting arrangements.

Subcontracting shall comply with applicable statutes, regulations, and guidelines, including the Virginia Public Procurement Act, § 2.1-4300 et seq. of the Code. All subcontracted activities shall be formalized in written contracts between the CSB and subcontractors. The CSB agrees to provide copies of contracts or other documents to the Department on request.

A. Subcontracts

The written subcontract shall, as applicable and at a minimum, state the activities to be performed, the time schedule and duration, the policies and requirements, including data reporting, applicable to the subcontractor, the maximum amount of money for which the CSB may become obligated, and the manner in which the subcontractor will be compensated, including payment time frames. Subcontracts shall not contain provisions that require a subcontractor to make payments or contributions to the CSB as a condition of doing business with the CSB.

B. Subcontractor Compliance

The CSB shall require that its subcontractors comply with the requirements of all applicable federal and state statutes, regulations, policies, and reporting requirements that affect or are applicable to the services included in this contract. The CSB shall require that its subcontractors submit to the CSB all required CCS Extract data on individuals they served and services they delivered in the applicable format so that the CSB can include this data in its CCS Extract submissions to the Department.

1. The CSB shall require that any agency, organization, or person with which it intends to subcontract services that are included in this contract is fully qualified and possesses and maintains current all necessary licenses or certifications from the Department and other applicable regulatory entities before it enters into the subcontract and places individuals in the subcontracted service.
2. The CSB shall require all subcontractors that provide services to individuals and are licensed by the Department to maintain compliance with the Human Rights Regulations adopted by the State Board.
3. The CSB shall, to the greatest extent practicable, require all other subcontractors that provide services purchased by the CSB for individuals and are not licensed by the Department to develop and implement policies and procedures that comply with the CSB's human rights policies and procedures or to allow the CSB to handle allegations of human rights violations on behalf of individuals served by the CSB who are receiving services from such subcontractors. When it funds providers such as family members, neighbors, individuals receiving services, or others to serve individuals, the CSB may comply with these requirements on behalf of those providers, if both parties agree.

C. Subcontractor Dispute Resolution

The CSB shall include contract dispute resolution procedures in its contracts with subcontractors.

D. Quality Improvement Activities

The CSB shall, to the extent practicable, incorporate specific language in its subcontracts regarding the quality improvement activities of subcontractors. Each vendor that subcontracts with the CSB should have its own quality improvement system in place or participate in the CSB's quality improvement program.

11. Compliance with Laws

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CSB shall comply with all applicable federal, state, and local laws and regulations. If any laws or regulations that become effective after the execution date of this contract substantially change the nature and conditions of this contract, they shall be binding upon the parties, but the parties retain the right to exercise any remedies available to them by law or other provisions of this contract.

A. HIPPA

1. The CSB shall comply with the HIPAA and the regulations promulgated thereunder by their compliance dates, except where the HIPAA requirements and applicable state law or regulations are contrary and state statutes or regulations are more stringent, as defined in 45 CFR § 160.202, than the related HIPAA requirements.
2. The CSB shall execute a Business Associate Agreement (BAA) initiated by the Department for any HIPAA- or 42 CFR Part 2- protected health information (PHI), personally identifiable information (PII), and other confidential data that it exchanges with the Department and its state facilities that is not covered by section 6.c.1.) a.) and f.) or 2.)c.) to ensure the privacy and security of sensitive data.
3. The CSB shall ensure sensitive data, including HIPAA-PHI, PII, and other confidential data, exchanged electronically with the Department, its state hospitals and training centers, other CSBs, other providers, regional or persons meets the requirements in the FIPS 140-2 standard and is encrypted using a method supported by the Department.
4. The Department and its state hospitals and training centers shall comply with HIPAA and the regulations promulgated thereunder by their compliance dates, except where the HIPAA requirements and applicable state law or regulations are contrary and state statutes or regulations are more stringent, as defined in 45 CFR § 160.202, than the related HIPAA requirements.
5. The Department shall initiate a BAA with the CSB for any HIPAA- or 42 CFR Part 2-PHI, PII, and other confidential data that it and its state facilities exchange with the CSB that is not covered by section 6.c.1.) a.) and f.) or 2.)c.) to ensure the privacy and security of sensitive data.
6. The Department shall execute a BAA with FEI, its WaMS contractor, for the exchange of PHI, PII, and other confidential data that it or the CSB exchanges with FEI to ensure the privacy and security of sensitive data.
7. The Department and its state hospitals and training centers shall ensure that any sensitive data, including HIPAA-PHI, PII, and other confidential data, exchanged electronically with CSBs, other providers, or persons meets the requirements in the FIPS 140-2 standard and is encrypted using a method supported by the Department and CSB.

B. Employment Anti-Discrimination

1. The CSB shall conform to the applicable provisions of Title VII of the Civil Rights Act of 1964 as amended, the Equal Pay Act of 1963, Sections 503 and 504 of the Rehabilitation Act of 1973, the Vietnam Era Veterans Readjustment Act of 1974, the Age Discrimination in Employment Act of 1967, the Americans With Disabilities Act of 1990, the Virginians With Disabilities Act, the Virginia Fair Employment Contracting Act, the Civil Rights Act of 1991, regulations issued by Federal Granting Agencies, and other applicable statutes and regulations, including § 2.2-4310 of the Code. The CSB agrees as follows:
2. The CSB will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by federal or state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the CSB. The CSB agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
3. The CSB, in all solicitations or advertisements for employees placed by or on behalf of the CSB, will state that it is an equal opportunity employer.
4. Notices, advertisements, and solicitations placed in accordance with federal law, rule, or regulation shall be deemed sufficient for the purpose of meeting these requirements.

C. Service Delivery Anti-Discrimination

1. The CSB shall conform to the applicable provisions of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act of 1990, the Virginians

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with Disabilities Act, the Civil Rights Act of 1991, regulations issued by the U.S. Department of Health and Human Services pursuant thereto, other applicable statutes and regulations, and as further stated below.

2. Services operated or funded by the CSB have been and will continue to be operated in such a manner that no person will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under such services on the grounds of race, religion, color, national origin, age, gender, or disability.
3. The CSB and its direct and contractual services will include these assurances in their services policies and practices and will post suitable notices of these assurances at each of their facilities in areas accessible to individuals receiving services.
4. The CSB will periodically review its operating procedures and practices to insure continued conformance with applicable statutes, regulations, and orders related to non-discrimination in service delivery.

D. General State Requirements

The CSB shall comply with applicable state statutes and regulations, State Board regulations and policies, and Department procedures, including the following requirements.

E. Conflict of Interests

Pursuant to § 2.2-3100.1 of the Code, the CSB shall ensure that new board members are furnished with receive a copy of the State and Local Government Conflict of Interests Act by the executive director or his or her designee within two weeks following a member's appointment, and new members shall read and become familiar with provisions of the act.

The CSB shall ensure board members and applicable CSB staff receive training on the act. If required by § 2.2-3115 of the Code, CSB board members and staff shall file annual disclosure forms of their personal interests and such other information as is specified on the form set forth in § 2.2-3118 of the Code. Board members and staff shall comply with the Conflict of Interests Act and related policies adopted by the CSB board of directors.

F. Freedom of Information

Pursuant to § 2.2-3702 of the Code, the CSB shall ensure that new board members are furnished with a copy of the Virginia Freedom of Information Act by the executive director or his or her designee within two weeks following a member's appointment, and new members shall read and become familiar with provisions of the act.

The CSB shall ensure board members and applicable staff receive training on the act. Board members and staff shall comply with the Freedom of Information Act and related policies adopted by the CSB by the CSB board of directors.

G. Protection of Individuals Receiving Services

1. **Human Rights:** The CSB shall comply with the current *Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Behavioral Health and Developmental Services*. In the event of a conflict between any of the provisions in this contract and provisions in these regulations, the applicable provisions in the regulations shall apply.

The CSB shall cooperate with any Department investigation of allegations or complaints of human rights violations, including providing any information needed for the investigation as required under state law and as permitted under 45 CFR § 164.512 (d) in as expeditious a manner as possible.

2. **Disputes:** The filing of a complaint as outlined in the Human Rights Regulations by an individual or his or her family member or authorized representative shall not adversely affect the quantity, quality, or timeliness of services provided to that individual unless an action that produces such an effect is based on clinical or safety considerations and is documented in the individual's individualized services plan.

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The CSB shall comply with the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*. The CSB shall establish a system to ensure ongoing compliance with applicable licensing regulations. CSB staff shall provide copies of the results of licensing reviews, including scheduled reviews, unannounced visits, and complaint investigations, to all members of the CSB board of directors in a timely manner and shall discuss the results at a regularly scheduled board meeting. The CSB shall adhere to any licensing guidance documents published by the Department.

I. Program and Service Reviews

The Department may conduct or contract for reviews of programs or services provided or contracted by the CSB under this contract to examine their quality or performance at any time as part of its monitoring and review responsibilities or in response to concerns or issues that come to its attention, as permitted under 45 CFR § 164.512 (a), (d), and (k) (6) (ii) and as part of its health oversight functions under § 32.1-127.1:03 (D) (6) and § 37.2-508 or § 37.2-608 of the Code or with a valid authorization by the individual receiving services or his authorized representative that complies with the *Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Behavioral Health and Developmental Services*, and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule. The CSB shall provide ready access to any records or other information necessary for the Department to conduct program or service reviews or investigations of critical incidents.

J. Consideration of Department Comments or Recommendations

The executive director and CSB board members shall consider significant issues or concerns raised by the Commissioner of the Department at any time about the operations or performance of the CSB and shall respond formally to the Department, collaborating with it as appropriate, about these issues or concerns.

K. State Facility Services

1. **Availability:** The Department shall make state facility services available, if appropriate, through its state hospitals and training centers when individuals located in the CSB's service area meet the admission criteria for these services.
2. **Bed Utilization:** The Department shall track, monitor, and report on the CSB's utilization of state hospital and training center beds and provide data to the CSB about individuals receiving services from its service area who are served in state hospitals and training centers as permitted under 45 CFR §§ 164.506 (c) (1), (2), and (4) and 164.512(k) (6) (ii). The Department shall distribute reports to CSBs on state hospital and training center bed utilization by the CSB for all types of beds (adult, geriatric, child and adolescent, and forensic) and for TDO admissions and bed day utilization.
3. **Continuity of Care:** The Department shall manage its state hospitals and training centers in accordance with State Board Policy 1035, to support service linkages with the CSB, including adherence to the applicable continuity of care procedures, and the current Exhibit K and other applicable document provided by the Department. The Department shall assure state hospitals and training centers use teleconferencing technology to the greatest extent practicable to facilitate the CSB's participation in treatment planning activities and fulfillment of its discharge planning responsibilities for individuals in state hospitals and training centers for whom it is the case management CSB.
4. **Medical Screening and Medical Assessment:** When working with CSBs and other facilities to arrange for treatment of individuals in the state hospital, the state hospital shall assure that its staff follows the current Medical Screening and Medical Assessment Guidance Materials. The state hospital staff shall coordinate care with emergency rooms, emergency room physicians, and other health and behavioral health providers to ensure the provision of timely and effective medical screening and medical assessment to promote the health and safety of and continuity of care for individuals receiving services.
5. **Planning:** The Department shall involve the CSB, as applicable and to the greatest extent

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possible, in collaborative planning activities regarding the future role and structure of state hospitals and training centers.

L. Quality of Care

The Department in collaboration with the VACSB Data Management and Quality Leadership Committees and the VACSB/DBHDS Quality and Outcomes Committee shall identify individual outcome, CSB provider performance, individual satisfaction, individual and family member participation and involvement measures, and quality improvement measures, pursuant to § 37.2-508 or § 37.2-608 of the Code, and shall collect information about these measures and work with the CSB to use them as part of the Continuous Quality Improvement Process described in Appendix E of the CSB Administrative Requirements to improve services.

M. Department CSB Performance Measures Data Dashboard

The Department shall develop a data dashboard to display the CSB Performance Measures in Exhibit B, developed in collaboration with the CSB, and disseminate it to CSBs. The Department shall work with the CSB to identify and implement actions to improve the CSB's ranking on any outcome or performance measure on which it is below the benchmark.

N. Utilization Management

The Department shall work with the CSBs, state hospitals and training centers serving it, and private providers involved with the public mental health, developmental, and substance use disorder services system to implement regional utilization management procedures and practices.

O. Human Rights

The Department shall operate the statewide human rights system described in the current *Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Behavioral Health and Developmental Services*, by monitoring compliance with the human rights requirements in those regulations.

P. Licensing

The Department shall license programs and services that meet the requirements in the current *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*, and conduct licensing reviews in accordance with the provisions of those regulations. The Department shall respond in a timely manner to issues raised by the CSB regarding its efforts to coordinate and monitor services provided by independent providers licensed by the Department.

Q. Peer Review Process

The Department shall implement a process in collaboration with volunteer CSBs to ensure that at least five percent of community mental health and substance abuse programs receive independent peer reviews annually, per federal requirements and guidelines, to review the quality and appropriateness of services. The Department shall manage this process to ensure that peer reviewers do not monitor their own programs.

R. Electronic Health Record (EHR)

The Department shall implement and maintain an EHR in its central office and state hospitals and training centers that has been fully certified and is listed by the Office of the National Coordinator for Health Information Technology- Authorized Testing and Certification Body to improve the quality and accessibility of services, streamline and reduce duplicate reporting and documentation requirements, obtain reimbursement for services, and exchange data with CSBs.

S. Reviews

The Department shall review and take appropriate action on audits submitted by the CSB in accordance with the provisions of this contract and the CSB Administrative Requirements. The Department may conduct a periodic, comprehensive administrative and financial review of the CSB to evaluate the CSB's compliance with requirements in the contract and CSB Administrative Requirements and the CSB's performance. The Department shall present a report of the review to the CSB and monitor the CSB's implementation of any recommendations in the report.

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

12. Reporting and Data Quality Requirements

- A. In accordance with State Board Policy 1030, the Department shall work with CSBs through the VACSB DMC to ensure that current data and reporting requirements are consistent with each other and the current Core Services Taxonomy 7.3, the current CCS Extract, and the Treatment Episode Data Set (TEDS) and other federal reporting requirements.
- B. The Department also shall work with CSBs through the DMC in planning and developing any additional reporting or documentation requirements beyond those identified in this contract to ensure that the requirements are consistent with the current taxonomy, current CCS Extract, and TEDS and other federal reporting requirements.
- C. The Department shall work with the CSB through the DMC to develop and implement any changes in data platforms used, data elements collected, or due dates for existing reporting mechanisms, including CCS Extract, CARS, WaMS, FIMS, and the current prevention data system and stand-alone spreadsheet or other program-specific reporting processes.
- D. **Community Consumer Submission:** The Department shall collaborate with CSBs through the DMC in the implementation and modification of the current CCS Extract, which reports individual characteristic and service data that is required under § 37.2-508 or § 37.2-608 of the Code, the federal Substance Abuse and Mental Health Services Administration, and Part C of Title XIX of the Public Health Services Act - Block Grants, §1943 (a) (3) and § 1971 and § 1949, as amended by Public Law 106-310, to the Department and is defined in the current CCS Extract Specifications, including the current Business Rules. The Department will receive and use individual characteristic and service data disclosed by the CSBs through CCS Extract as permitted under 45 CFR §§ 164.506 (c) (1) and (3) and 164.512 (a) (1) of the HIPAA regulations and § 32.1- 127.1:03,D (6) of the Code and shall implement procedures to protect the confidentiality of this information pursuant to § 37.2-504 or § 37.2-605 of the Code and HIPAA.

The Department shall follow the user acceptance testing process described in Addendum I Administrative Requirements and Processes and Procedures for new CCS Extract releases.

- E. **Data Elements:** The Department shall work with CSBs through the DMC to standardize data definitions, periodically review existing required data elements to eliminate elements that are no longer needed, minimize the addition of new data elements to minimum necessary ones, review CSB business processes so that information is collected in a systematic manner, and support efficient extraction of required data from CSB electronic health record systems whenever this is possible. The Department shall work with the CSB through the DMC to develop, implement, maintain, and revise or update a mutually agreed upon electronic exchange mechanism that will import all information related to the support coordination or case management parts of the ISP (parts I-IV) and VIDES about individuals who are receiving DD Waiver services from CSB EHRs into WaMS. If the CSB does not use or is unable to use the data exchange, it shall enter this data directly into WaMS.
- F. **Streamlining Reporting Requirements:** The Department shall work with CSBs through the DMC to review existing reporting requirements including the current CCS Extract to determine if they are still necessary and, if they are, to streamline and reduce the number of portals through which those reporting requirements are submitted as much as possible; to ensure reporting requirements are consistent with the current CCS Extract Specifications and Core Services Taxonomy 7.3; and to maximize the interoperability between Department and CSB data bases to support the electronic exchange of information and comprehensive data analysis.
- G. **Data Quality:** The Department shall provide data quality reports to the CSB on the completeness and validity of its CCS Extract data to improve data quality and integrity. The Department may require the CSB executive director to develop and implement a plan of correction to remedy persistent deficiencies in the CSB's CCS Extract submissions. Once approved, the Department shall monitor the plan of correction and the CSB's ongoing data quality. The Department may address persistent deficiencies that are not resolved through this process with an Individual CSB Performance Measure in Exhibit D.

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

- H. Surveys:** The Department shall ensure that all surveys and requests for data have been reviewed for cost effectiveness and developed through a joint Department and CSB process. The Department shall comply with the Procedures for Approving CSB Surveys, Questionnaires, and Data Collection Instruments and Establishing Reporting Requirements, reissued by the Commissioner.

13. Communication

- A.** The Department shall provide technical assistance and written notification to the CSB regarding changes in funding source requirements, such as regulations, policies, procedures, and interpretations, to the extent that those changes are known to the Department.
- B.** The Department shall resolve, to the extent practicable, inconsistencies in state agency requirements that affect requirements in this contract.
- C.** The Department shall provide any information requested by the CSB that is related to performance of or compliance with this contract in a timely manner, considering the type, amount, and availability of the information requested.
- D.** The Department shall issue new or revised policy, procedure, and guidance documents affecting CSBs via letters, memoranda or emails from the Commissioner, Deputy Commissioner, or applicable Assistant Commissioner to CSB executive directors and other applicable CSB staff and post these documents in an easily accessible place on its web site within 10 business days of the date on which the documents are issued via letters, memoranda, or emails.

14. Department Comments or Recommendations on CSB Operations or Performance

The Commissioner of the Department may communicate significant issues or concerns about the operations or performance of the CSB to the executive director and CSB board members for their consideration, and the Department agrees to collaborate as appropriate with the executive director and CSB board members as they respond formally to the Department about these issues or concerns.

15. Compliance and Dispute Resolution

The Department may utilize a variety of remedies, including requiring a corrective action plan, delaying payments, reducing allocations or payments, and terminating the contract, to assure CSB compliance with this contract. Specific remedies, described in Exhibit E of this contract, may be taken if the CSB fails to satisfy the reporting requirements in this contract.

In accordance with subsection E of § 37.2-508 or § 37.2-608 of the Code, the Department may terminate all or a portion of this contract, after unsuccessful use of the remediation process described in this section and after affording the CSB an adequate opportunity to use the dispute resolution process described in this of this contract. The Department shall deliver a written notice specifying the cause to the CSB's board chairperson and executive director at least 75 days prior to the date of actual termination of the contract. In the event of contract termination under these circumstances, only payment for allowable services rendered by the CSB shall be made by the Department.

- A. Disputes:** Resolution of disputes arising from Department contract compliance review and performance management efforts or from actions by the CSB related to this contract may be pursued through the dispute resolution process in this section, which may be used to appeal only the following conditions:
- 1.) reduction or withdrawal of state general or federal funds, unless funds for this activity are withdrawn by action of the General Assembly or federal government or by adjustment of allocations or payments pursuant to section 5 of this contract;
 - 2.) termination or suspension of the contract, unless funding is no longer available;
 - 3.) refusal to negotiate or execute a contract modification;
 - 3.) disputes arising over interpretation or precedence of terms, conditions, or scope of the contract; or
 - 4.) determination that an expenditure is not allowable under this contract.
- B. Remediation Process:** The Department and the CSB shall use the remediation process mentioned in

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

subsection E of § 37.2-508 or § 37.2-608 of the Code to address a particular situation or condition identified by the Department or the CSB that may, if unresolved, result in termination of all or a portion of the contract in accordance with the provisions of this section. The parties shall develop the details of this remediation process and add them as an Exhibit D of this contract. This exhibit shall:

- 1.) describe the situation or condition, such as a pattern of failing to achieve a satisfactory level of performance on a significant number of major outcome or performance measures in the contract, that if unresolved could result in termination of all or a portion of the contract;
- 2.) require implementation of a plan of correction with specific actions and timeframes approved by the Department to address the situation or condition; and
- 3.) include the performance measures that will document a satisfactory resolution of the situation or condition.
- 4.) If the CSB does not implement the plan of correction successfully within the approved timeframes, the Department, as a condition of continuing to fund the CSB, may request changes in the management and operation of the CSB's services linked to those actions and measures in order to obtain acceptable performance. These changes may include realignment or re-distribution of state-controlled resources or restructuring the staffing or operations of those services. The Department shall review and approve any changes before their implementation. Any changes shall include mechanisms to monitor and evaluate their execution and effectiveness.

C. Dispute Resolution Process: Disputes arising from any of the conditions in this section of this contract shall be resolved using the following process:

- 1.) Within 15 calendar days of the CSB's identification or receipt of a disputable action taken by the Department or of the Department's identification or receipt of a disputable action taken by the CSB, the party seeking resolution of the dispute shall submit a written notice to the Department's OMS Director, stating its desire to use the dispute resolution process. The written notice must describe the condition, nature, and details of the dispute and the relief sought by the party.
- 2.) The OMS Director shall review the written notice and determine if the dispute falls within the conditions listed in section 16.A. If it does not, the OMS Director shall notify the party in writing within seven days of receipt of the written notice that the dispute is not subject to this dispute resolution process. The party may appeal this determination to the Commissioner in writing within seven days of its receipt of the Director's written notification.
- 3.) If the dispute falls within the conditions listed in this section, the OMS Director shall notify the party within seven days of receipt of the written notice that a panel will be appointed within 15 days to conduct an administrative hearing.
- 4.) Within 15 days of notification to the party, a panel of three or five disinterested persons shall be appointed to hear the dispute.
 - i. The CSB shall appoint one or two members; the Commissioner shall appoint one or two members; and the appointed members shall appoint the third or fifth member.
 - ii. Each panel member will be informed of the nature of the dispute and be required to sign a statement indicating that he has no interest in the dispute.
 - iii. Any person with an interest in the dispute shall be relieved of panel responsibilities and another person shall be selected as a panel member.
- 5.) The OMS Director shall contact the parties by telephone and arrange for a panel hearing at a mutually convenient time, date, and place. The panel hearing shall be scheduled not more than 15 days after the appointment of panel members. Confirmation of the time, date, and place of the hearing will be communicated to all parties at least seven days in advance of the hearing.
- 6.) The panel members shall elect a chairman and the chairman shall convene the panel. The party requesting the panel hearing shall present evidence first, followed by the presentation of the other party. The burden shall be on the party requesting the panel hearing to establish that the disputed decision or action was incorrect and to present the basis in law, regulation, or policy for its assertion. The panel may hear rebuttal evidence after the initial presentations by the CSB and the Department. The panel may question either party in order to obtain a clear understanding of the facts.

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

- 7.) Subject to provisions of the Freedom of Information Act, the panel shall convene in closed session at the end of the hearing and shall issue written recommended findings of fact within seven days of the hearing. The recommended findings of fact shall be submitted to the Commissioner for a final decision.
- 8.) The findings of fact shall be final and conclusive and shall not be set aside by the Commissioner unless they are (a.) fraudulent, arbitrary, or capricious; (b.) so grossly erroneous as to imply bad faith; (c.) in the case of termination of the contract due to failure to perform, the criteria for performance measurement are found to be erroneous, arbitrary, or capricious; or (d.) not within the CSB's purview.
- 9.) The final decision shall be sent by certified mail to both parties no later than 60 days after receipt of the written notice from the party invoking the dispute resolution process.
- 10.) Multiple appeal notices shall be handled independently and sequentially so that an initial appeal will not be delayed by a second appeal.
- 11.) The CSB or the Department may seek judicial review of the final decision to terminate the contract in the Circuit Court for the City of Richmond within 30 days of receipt of the final decision.

16. Liability

The CSB shall defend or compromise, as appropriate, all claims, suits, actions, or proceedings arising from its performance of this contract. The CSB shall obtain and maintain sufficient liability insurance to cover claims for bodily injury and property damage and suitable administrative or directors and officers liability insurance. The CSB may discharge these responsibilities by means of a proper and sufficient self-insurance program operated by the state or a city or county government. The CSB shall provide a copy of any policy or program to the Department upon request. This contract is not intended to and does not create by implication or otherwise any basis for any claim or cause of action by a person or entity not a party to this contract arising out of any claimed violation of any provision of this contract, nor does it create any claim or right on behalf of any person to services or benefits from the CSB or the Department.

17. Severability

Each paragraph and provision of this contract is severable from the entire contract, and the remaining provisions shall nevertheless remain in full force and effect if any provision is declared invalid or unenforceable.

Counterparts and Electronic Signatures: Except as may be prohibited by applicable law or regulation, this Agreement and any amendment may be signed in counterparts, by facsimile, PDF, or other electronic means, each of which will be deemed an original and all of which when taken together will constitute one agreement. Facsimile and electronic signatures will be binding for all purposes.

Signatures

In witness thereof, the Department and the CSB have caused this performance contract to be executed by the following duly authorized officials.

FY 2022 AND FY 2023 COMMUNITY SERVICES PERFORMANCE CONTRACT

| Exhibit L: List of Acronyms | | | |
|-----------------------------|---|---------|---|
| Acronym | Name | Acronym | Name |
| ACE | Adverse Childhood Experiences | NCI | National Core Indicators |
| ACT | Assertive Community Treatment (ACT) – Effective 7.1.2021 | | |
| BAA | Business Associate Agreement (for HIPAA compliance) | NGRI | Not Guilty by Reason of Insanity |
| CARS | Community Automated Reporting System | OMS | Office of Management Services |
| CCS | Community Consumer Submission | PACT | Program of Assertive Community Treatment– Retired as of 7.1.2021, See Assertive Community Treatment (ACT) |
| CFR | Code of Federal Regulations | PATH | Projects for Assistance in Transition from Homelessness |
| CIT | Crisis Intervention Team | PHI | Protected Health Information |
| CPMT | Community Policy and Management Team (CSA) | PII | Personally Identifiable Information |
| CQI | Continuous Quality Improvement | PSH | Permanent Supportive Housing |
| CRC | Community Resource Consultant (DD Waivers) | QSR | Quality Service Reviews |
| CSA | Children’s Services Act (§ 2.2-5200 et seq. of the Code) | RCSU | Residential Crisis Stabilization Unit |
| CSB | Community Services Board | RDAP | Regional Discharge Assistance Program |
| DAP | Discharge Assistance Program | REACH | Regional Education Assessment Crisis Services Habilitation |
| DBHDS | Department | RFP | Request for Proposal |
| DD | Developmental Disabilities | RMG | Regional Management Group |
| Department | Department of Behavioral Health and Developmental Services | RST | Regional Support Team (DD Waivers) |
| DMAS | Department of Medical Assistance Services (Medicaid) | RUMCT | Regional Utilization Management and Consultation Team |
| DOJ | Department of Justice (U.S.) | SABG | Federal Substance Abuse Block Grant |
| EBL | Extraordinary Barriers to Discharge List | SDA | Same Day Access |
| EHR | Electronic Health Record | sFTP | Secure File Transfer Protocol |
| FTE | Full Time Equivalent | SPF | Strategic Prevention Framework |
| HIPAA | Health Insurance Portability and Accountability Act of 1996 | TDO | Temporary Detention Order |
| ICC | Intensive Care Coordination (CSA) | VACSB | Virginia Association of Community Services Boards |
| ICF | Intermediate Care Facility | VIDES | Virginia Individual DD Eligibility Survey |
| IDAPP | Individualized Discharge Assistance Program Plan | WaMS | Waiver Management System (DD Waivers) |
| LIPOS | Local Inpatient Purchase of Services | SPQM | Service Process Quality Management |

FY2022 And FY2023 Community Services Performance Contract

FY 2022 Exhibit A: Resources and Services

Northwestern Community Services

Consolidated Budget (Pages AF-3 through AF-12)

| Funding Sources | Mental Health (MH) Services | Developmental (DV) Services | Substance Use Disorder (SUD) Services | TOTAL |
|---|------------------------------------|------------------------------------|--|-------------------|
| State Funds | 6,306,003 | 177,847 | 1,740,970 | 8,224,820 |
| Local Matching Funds | 102,008 | 276,880 | 1,078,376 | 1,457,264 |
| Total Fees | 6,576,285 | 1,837,492 | 1,257,231 | 9,671,008 |
| Transfer Fees In/(Out) | 0 | 0 | 0 | 0 |
| Federal Funds | 158,475 | 0 | 1,557,613 | 1,716,088 |
| Other Funds | 127,540 | 0 | 0 | 127,540 |
| State Retained Earnings | 468,295 | 0 | 0 | 468,295 |
| Federal Retained Earnings | 0 | | 0 | 0 |
| Other Retained Earnings | 0 | 0 | 0 | 0 |
| Subtotal Ongoing Funds | 13,738,606 | 2,292,219 | 5,634,190 | 21,665,015 |
| State Funds One-Time | 0 | 0 | 0 | 0 |
| Federal Funds One-Time | 0 | | 0 | 0 |
| Subtotal One -Time Funds | 0 | 0 | 0 | 0 |
| TOTAL ALL FUNDS | 13,738,606 | 2,292,219 | 5,634,190 | 21,665,015 |
| Cost for MH/DV/SUD Services | 11,808,833 | 2,584,336 | 3,943,483 | 18,336,652 |
| Cost for Emergency Services (AP-4) | | | | 2,944,372 |
| Cost for Ancillary Services (AP-4) | | | | 383,991 |
| Total Cost for Services | | | | 21,665,015 |

| Local Match Computation | |
|--|-----------|
| Total State Funds | 8,224,820 |
| Total Local Matching Funds | 1,457,264 |
| Total State and Local Funds | 9,682,084 |
| Total Local Match % (Local / Total State + Local) | 15.05% |

| CSB Administrative Percentage | |
|--------------------------------------|------------|
| Administrative Expenses | 2,701,735 |
| Total Cost for Services | 21,665,015 |
| Admin / Total Expenses | 12.47% |

*FY2022 And FY2023 Community Services Performance Contract
FY 2022 Exhibit A: Resources and Services*

*Northwestern Community Services
Financial Comments*

| | |
|------------------|---|
| <i>Comment1</i> | MH State Retained Earnings Consists of the following: |
| <i>Comment2</i> | CITAC Funds \$344,055 |
| <i>Comment3</i> | Rural Jail Diversion \$124,240 |
| <i>Comment4</i> | |
| <i>Comment5</i> | |
| <i>Comment6</i> | |
| <i>Comment7</i> | |
| <i>Comment8</i> | |
| <i>Comment9</i> | |
| <i>Comment10</i> | |
| <i>Comment11</i> | |
| <i>Comment12</i> | |
| <i>Comment13</i> | |
| <i>Comment14</i> | |
| <i>Comment15</i> | |
| <i>Comment16</i> | |
| <i>Comment17</i> | |
| <i>Comment18</i> | |
| <i>Comment19</i> | |
| <i>Comment20</i> | |
| <i>Comment21</i> | |
| <i>Comment22</i> | |
| <i>Comment23</i> | |
| <i>Comment24</i> | |
| <i>Comment25</i> | |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Mental Health (MH) Services

Northwestern Community Services

| <u>Funding Sources</u> | <u>Funds</u> |
|--|--------------|
| <u>FEES</u> | |
| MH Medicaid Fees | 5,918,656 |
| MH Fees: Other | 657,629 |
| Total MH Fees | 6,576,285 |
| MH Transfer Fees in/(Out) | 0 |
| MH Net Fees | 6,576,285 |
| <u>FEDERAL FUNDS</u> | |
| MH FBG SED Child & Adolescent (93.958) | 66,949 |
| MH FBG Young Adult SMI (93.958) | 0 |
| MH FBG Crisis Services (93.958) | 0 |
| MH FBG SMI (93.958) | 91,526 |
| MH FBG SMI PACT (93.958) | 0 |
| MH FBG SMI SWVBH Board (93.958) | 0 |
| Total MH FBG SMI Funds | 91,526 |
| MH FBG Geriatrics (93.958) | 0 |
| MH FBG Peer Services (93.958) | 0 |
| Total MH FBG Adult Funds | 91,526 |
| MH Federal PATH (93.150) | 0 |
| MH Federal COVID Emergency Grant (93.665) | |
| MH Other Federal - DBHDS | 0 |
| MH Other Federal - COVID Support | |
| MH Other Federal - CSB | 0 |
| Total MH Federal Funds | 158,475 |
| <u>STATE FUNDS</u> | |
| <u>Regional Funds</u> | |
| MH Acute Care (Fiscal Agent) | 0 |
| MH Acute Care Transfer In/(Out) | 0 |
| Total Net MH Acute Care - Restricted | 0 |
| MH Regional DAP (Fiscal Agent) | 0 |
| MH Regional DAP Transfer In/(Out) | 225,500 |
| Total Net MH Regional DAP - Restricted | 225,500 |
| MH Regional Residential DAP - Restricted | 0 |
| MH Crisis Stabilization (Fiscal Agent) | 0 |
| MH Crisis Stabilization - Transfer In/(Out) | 0 |
| Total Net MH Crisis Stabilization - Restricted | 0 |
| MH Transfers from DBHDS Facilities (Fiscal Agent) | 0 |
| MH Transfers from DBHDS Facilities - Transfer In/(Out) | 0 |
| Total Net MH Transfers from DBHDS Facilities | 0 |
| MH Expanded Community Capacity (Fiscal Agent) | 0 |
| MH Expanded Community Capacity Transfer In/(Out) | 0 |
| Total Net MH Expanded Community Capacity | 0 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Mental Health (MH) Services

Northwestern Community Services

| <u>Funding Sources</u> | <u>Funds</u> |
|---|------------------|
| MH First Aid and Suicide Prevention (Fiscal Agent) | 0 |
| MH First Aid and Suicide Prevention Transfer In/(Out) | 0 |
| Total Net MH First Aid and Suicide Prevention | 0 |
| MH STEP-VA Outpatient (Fiscal Agent) | 620,406 |
| MH STEP-VA Outpatient Transfer In/(Out) | 0 |
| Total Net MH STEP-VA Outpatient | 620,406 |
| MH STEP-VA Crisis (Fiscal Agent) | 0 |
| MH STEP-VA Crisis Transfer In/(Out) | 0 |
| Total Net MH STEP-VA Crisis | 0 |
| MH STEP-VA Clinician's Crisis Dispatch (Fiscal Agent) | 0 |
| MH STEP-VA Clinician's Crisis Dispatch Transfer In/(Out) | 0 |
| Total Net MH STEP-VA Clinician's Crisis Dispatch | 0 |
| MH STEP-VA Peer Support (Fiscal Agent) | 132,760 |
| MH STEP-VA Peer Support Transfer In/(Out) | 0 |
| Total Net MH STEP-VA Peer Support | 132,760 |
| MH STEP-VA Veteran's Services (Fiscal Agent) | 99,269 |
| MH STEP-VA Veteran's Services Transfer In/(Out) | 0 |
| MH STEP-VA Veteran's Services | 99,269 |
| MH Forensic Discharge Planning (Fiscal Agent) | 0 |
| MH Forensic Discharge Planning Transfer In/(Out) | 0 |
| Total Net MH Forensic Discharge Planning | 0 |
| MH Permanent Supportive Housing (Fiscal Agent) | 499,898 |
| MH Permanent Supportive Housing Transfer In/(Out) | 0 |
| Total Net MH Permanent Supportive Housing | 499,898 |
| MH Recovery (Fiscal Agent) | 0 |
| MH Other Merged Regional Funds (Fiscal Agent) | 950,857 |
| MH State Regional Deaf Services (Fiscal Agent) | 139 |
| MH Total Regional Transfer In/(Out) | 0 |
| Total Net MH Unrestricted Regional State Funds | 950,996 |
| Total Net MH Regional State Funds | 2,528,829 |
| <u>Children State Funds</u> | |
| MH Child & Adolescent Services Initiative | 113,382 |
| MH Children's Outpatient Services | 75,000 |
| MH Juvenile Detention | 65,880 |
| Total MH Restricted Children's Funds | 254,262 |
| MH State Children's Services | 25,000 |
| MH Demo Proj-System of Care (Child) | 0 |
| Total MH Unrestricted Children's Funds | 25,000 |
| MH Crisis Response & Child Psychiatry (Fiscal Agent) | 0 |
| MH Crisis Response & Child Psychiatry Transfer In/(Out) | 130,000 |
| Total Net MH Restricted Crisis Response & Child Psychiatry | 130,000 |
| Total State MH Children's Funds (Restricted for Children) | 409,262 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

**Mental Health (MH) Services
Northwestern Community Services**

| <u>Funding Sources</u> | <u>Funds</u> |
|---|-------------------|
| <u>Other State Funds</u> | |
| MH Law Reform | 331,492 |
| MH Pharmacy - Medication Supports | 115,000 |
| MH Jail Diversion Services | 0 |
| MH Rural Jail Diversion | 92,914 |
| MH Docket Pilot JMHCP Match | 0 |
| MH Adult Outpatient Competency Restoration Services | 0 |
| MH CIT-Assessment Sites | 0 |
| MH Expand Telepsychiatry Capacity | 14,000 |
| MH PACT | 850,000 |
| MH PACT - Forensic Enhancement | 0 |
| MH Gero-Psychiatric Services | 0 |
| MH STEP-VA - SDA, Primary Care Screening and Ancillary Services | 492,743 |
| MH Young Adult SMI | 0 |
| Total MH Restricted Other State Funds | 1,896,149 |
| MH State Funds | 1,471,763 |
| MH State NGRI Funds | 0 |
| MH Geriatrics Services | 0 |
| Total MH Unrestricted Other State Funds | 1,471,763 |
| Total MH Other State Funds | 3,367,912 |
| Total MH State Funds | 6,306,003 |
| <u>OTHER FUNDS</u> | |
| MH Other Funds | 127,540 |
| MH Federal Retained Earnings | 0 |
| MH State Retained Earnings | 468,295 |
| MH State Retained Earnings - Regional Programs | 0 |
| MH Other Retained Earnings | 0 |
| Total MH Other Funds | 595,835 |
| <u>LOCAL MATCHING FUNDS</u> | |
| MH Local Government Appropriations | 102,008 |
| MH Philanthropic Cash Contributions | 0 |
| MH In-Kind Contributions | 0 |
| MH Local Interest Revenue | 0 |
| Total MH Local Matching Funds | 102,008 |
| Total MH Funds | 13,738,606 |
| <u>MH ONE-TIME FUNDS</u> | |
| MH FBG SMI (93.958) | 0 |
| MH FBG SED Child & Adolescent (93.958) | 0 |
| MH FBG Peer Services (93.958) | 0 |
| MH One-Time State Funds | 0 |
| MH One-Time Restricted State Funds | 0 |
| Total One-Time MH Funds | 0 |
| Total MH All Funds | 13,738,606 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Developmental Services (DV)
Northwestern Community Services

| Funding Sources | Funds |
|--|------------------|
| <u>FEES</u> | |
| DV Medicaid DD Waiver Fees | 0 |
| DV Other Medicaid Fees | 0 |
| DV Medicaid ICF/IDD Fees | 1,836,574 |
| DV Fees; Other | 918 |
| Total DV Fees | <u>1,837,492</u> |
| DV Transfer Fees in/(Out) | <u>0</u> |
| DV Net Fees | <u>1,837,492</u> |
| <u>FEDERAL FUNDS</u> | |
| DV Other Federal - DBHDS | 0 |
| DV Other Federal - COVID Support | 0 |
| DV Other Federal - CSB | 0 |
| Total DV Federal Funds | <u>0</u> |
| <u>STATE FUNDS</u> | |
| DV State Funds | 177,847 |
| DV OBRA Funds | 0 |
| Total DV Unrestricted State Funds | <u>177,847</u> |
| DV Trust Fund (Restricted) | 0 |
| DV Rental Subsidies | 0 |
| DV Guardianship Funding | 0 |
| DV Crisis Stabilization (Fiscal Agent) | 0 |
| DV Crisis Stabilization Transfer In/(Out) | 0 |
| Total Net DV Crisis Stabilization | <u>0</u> |
| DV Crisis Stabilization-Children (Fiscal Agent) | 0 |
| DV Crisis Stabilization-Children Transfer In/(Out) | 0 |
| Total Net DV Crisis Stabilization -Children | <u>0</u> |
| DV Transfers from DBHDS Facilities (Fiscal Agent) | 0 |
| DV Transfers from DBHDS Facilities - Transfer In/(Out) | 0 |
| Total Net DV Transfers from DBHDS Facilities | <u>0</u> |
| Total DV Restricted State Funds | <u>0</u> |
| Total DV State Funds | 177,847 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Developmental Services (DV)
Northwestern Community Services

| <u>Funding Sources</u> | <u>Funds</u> |
|--|--------------|
| <u>OTHER FUNDS</u> | |
| DV Workshop Sales | 0 |
| DV Other Funds | 0 |
| DV State Retained Earnings | 0 |
| DV State Retained Earnings-Regional Programs | 0 |
| DV Other Retained Earnings | 0 |
| Total DV Other Funds | 0 |
| <u>LOCAL MATCHING FUNDS</u> | |
| DV Local Government Appropriations | 276,880 |
| DV Philanthropic Cash Contributions | 0 |
| DV In-Kind Contributions | 0 |
| DV Local Interest Revenue | 0 |
| Total DV Local Matching Funds | 276,880 |
| Total DV Funds | 2,292,219 |
| <u>DV ONE-TIME FUNDS</u> | |
| DV One-Time State Funds | 0 |
| DV One-Time Restricted State Funds | 0 |
| Total One-Time DV Funds | 0 |
| Total DV All Funds | 2,292,219 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Substance Use Disorder (SUD) Services

Northwestern Community Services

| Funding Sources | Funds |
|---|-----------|
| <u>FEES</u> | |
| SUD Medicaid Fees | 1,118,936 |
| SUD Fees: Other | 138,295 |
| Total SUD Fees | 1,257,231 |
| SUD Transfer Fees In/(Out) | 0 |
| Sud Net Fees | 1,257,231 |
| <u>FEDERAL FUNDS</u> | |
| SUD FBG Alcohol/Drug Treatment (93.959) | 400,532 |
| SUD FBG SARPOS (93.959) | 92,780 |
| SUD FBG Jail Services (93.959) | 0 |
| SUD FBG Co-Occurring (93.959) | 9,643 |
| SUD FBG New Directions (93.959) | 0 |
| SUD FBG Recovery (93.959) | 0 |
| SUD FBG MAT - Medically Assisted Treatment (93.959) | 0 |
| Total SUD FBG Alcohol/Drug Treatment Funds | 502,955 |
| SUD FBG Women (includes LINK at 6 CSBs) (93.959) | 78,127 |
| Total SUD FBG Women Funds | 78,127 |
| SUD FBG Prevention (93.959) | 151,531 |
| SUD FBG Prev-Family Wellness (93.959) | 0 |
| Total SUD FBG Prevention Funds | 151,531 |
| SUD Federal COVID Emergency Grant (93.665) | 0 |
| SUD Federal YSAT – Implementation (93.243) | 0 |
| SUD Federal Opioid Response – Recovery (93.788) | 400,000 |
| SUD Federal Opioid Response – Treatment (93.788) | 425,000 |
| SUD Federal Opioid Response – Prevention (93.788) | 0 |
| Total SUD Federal Opioid Response Funds (93.788) | 825,000 |
| SUD Other Federal - DBHDS | 0 |
| SUD Other Federal - COVID Support | 0 |
| SUD Other Federal - CSB | 0 |
| Total SUD Federal Funds | 1,557,613 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Substance Use Disorder (SUD) Services

Northwestern Community Services

| Funding Sources | Funds |
|---|-----------|
| <u>STATE FUNDS</u> | |
| <u>Regional Funds</u> | |
| SUD Facility Reinvestment (Fiscal Agent) | 0 |
| SUD Facility Reinvestment Transfer In/(Out) | 0 |
| Total Net SUD Facility Reinvestment | 0 |
| SUD Transfers from DBHDS Facilities (Fiscal Agent) | 0 |
| SUD Transfers from DBHDS Facilities - Transfer In/(Out) | 0 |
| Total Net SUD Transfers from DBHDS Facilities | 0 |
| SUD Community Detoxification (Fiscal Agent) | 0 |
| SUD Community Detoxification – Transfer In/(Out) | 19,200 |
| Total Net SUD Community Detoxification | 19,200 |
| SUD STEP-VA (Fiscal Agent) | 0 |
| SUD STEP-VA - Transfer In/(Out) | 0 |
| Total Net SUD STEP-VA - Restricted | 0 |
| Total Net SUD Regional State Funds | 19,200 |
| <u>Other State Funds</u> | |
| SUD Women (includes LINK at 4 CSBs) (Restricted) | 16,200 |
| SUD MAT - Medically Assisted Treatment | 130,000 |
| SUD Permanent Supportive Housing Women | 331,518 |
| SUD SARPOS | 43,944 |
| SUD Recovery | 130,425 |
| Total SUD Restricted Other State Funds | 652,087 |
| SUD State Funds | 1,069,683 |
| SUD Region V Residential | 0 |
| SUD Jail Services/Juvenile Detention | 0 |
| SUD HIV/AIDS | 0 |
| Total SUD Unrestricted Other State Funds | 1,069,683 |
| Total SUD Other State Funds | 1,721,770 |
| Total SUD State Funds | 1,740,970 |
| <u>OTHER FUNDS</u> | |
| SUD Other Funds | 0 |
| SUD Federal Retained Earnings | 0 |
| SUD State Retained Earnings | 0 |
| SUD State Retained Earnings-Regional Programs | 0 |
| SUD Other Retained Earnings | 0 |
| Total SUD Other Funds | 0 |
| <u>LOCAL MATCHING FUNDS</u> | |
| SUD Local Government Appropriations | 1,078,376 |
| SUD Philanthropic Cash Contributions | 0 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Substance Use Disorder (SUD) Services

Northwestern Community Services

| <u>Funding Sources</u> | <u>Funds</u> |
|---|------------------|
| SUD In-Kind Contributions | 0 |
| SUD Local Interest Revenue | 0 |
| Total SUD Local Matching Funds | <u>1,078,376</u> |
| Total SUD Funds | 5,634,190 |
| <u>SUD ONE-TIME FUNDS</u> | |
| SUD FBG Alcohol/Drug Treatment (93.959) | 0 |
| SUD FBG Women (includes LINK-6 CSBs) (93.959) | 0 |
| SUD FBG Prevention (93.959) | 0 |
| SUD FBG Recovery (93.959) | 0 |
| SUD One-Time State Funds | 0 |
| SUD One-Time Restricted State Funds | 0 |
| Total SUD One-Time Funds | <u>0</u> |
| Total All SUD Funds | 5,634,190 |

FY2022 And FY2023 Community Services Performance Contract

FY 2022 Exhibit A: Resources and Services

Local Government Tax Appropriations

Northwestern Community Services

| City/County | Tax Appropriation |
|--|--------------------------|
| Winchester City | 251,219 |
| Frederick County | 416,507 |
| Clarke County | 96,350 |
| Shenandoah County | 253,000 |
| Page County | 97,442 |
| Warren County | 342,746 |
| Total Local Government Tax Funds: | 1,457,264 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

Supplemental Information

Reconciliation of Projected Resources and Core Services Costs by Program Area

Northwestern Community Services

| | MH Services | DV Services | SUD Services | Emergency Services | Ancillary Services | Total |
|--|------------------------|------------------------|-------------------------|-------------------------------|-------------------------------|--------------|
| Total All Funds (Page AF-1) | 13,738,606 | 2,292,219 | 5,634,190 | [REDACTED] | | 21,665,015 |
| Cost for MH, DV, SUD, Emergency, and Ancillary Services | 11,808,833 | 2,584,336 | 3,943,483 | 2,944,372 | 383,991 | 21,665,015 |
| Difference | 1,929,773 | -292,117 | 1,690,707 | -2,944,372 | -383,991 | 0 |

Difference results from

Other: 0

Explanation of Other in Table Above:

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

CSB 100 Mental Health Services

Northwestern Community Services

Report for Form 11

| Core Services | Projected Service Capacity | Projected Numbers of Individuals Receiving Services | Projected Total Service Costs |
|-------------------------------------|----------------------------|---|-------------------------------|
| 310 Outpatient Services | 2.5 FTEs | | \$1,077,428 |
| 312 Medical Services | 12 FTEs | | \$2,385,227 |
| 350 Assertive Community Treatment | 11 FTEs | | \$1,365,597 |
| 320 Case Management Services | 38 FTEs | | \$4,667,784 |
| 425 Mental Health Rehabilitation | 46 Slots | | \$1,202,713 |
| 521 Intensive Residential Services | 21.5 Beds | | \$602,123 |
| 581 Supportive Residential Services | 3 FTEs | | \$507,961 |
| Totals | | | \$11,808,833 |

| Form 11A: Pharmacy Medication Supports | Number of Consumers |
|--|---------------------|
| 803 Total Pharmacy Medication Supports Consumers | 70 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

CSB 200 Developmental Services

Northwestern Community Services

Report for Form 21

| Core Services | Projected Service Capacity | Projected Numbers of Individuals Receiving Services | Projected Total Service Costs |
|-------------------------------------|-----------------------------------|--|--------------------------------------|
| 320 Case Management Services | 21 FTEs | | \$2,282,340 |
| 430 Sheltered Employment | 9.9 Slots | | \$70,527 |
| 581 Supportive Residential Services | 2 FTEs | | \$231,469 |
| | Totals | | \$2,584,336 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

CSB 300 Substance Use Disorder Services

Northwestern Community Services

Report for Form 31

| Core Services | Projected Service Capacity | Projected Numbers of Individuals Receiving Services | Projected Total Service Costs |
|--|----------------------------------|---|--|
| 310 Outpatient Services | 13 FTEs | | \$1,716,335 |
| 312 Medical Services | 0.19 FTEs | | \$24,698 |
| 313 Intensive Outpatient Services | 4.5 FTEs | | \$355,410 |
| 335 Medication Assisted Treatment Services | 6.75 FTEs | | \$825,000 |
| 320 Case Management Services | 1.75 FTEs | | \$298,725 |
| 521 Intensive Residential Services | 0.21 Beds | | \$177,092 |
| 581 Supportive Residential Services | 1.25 FTEs | | \$388,683 |
| 610 Prevention Services | 2.4 FTEs | | \$157,540 |
| Totals | | | \$3,943,483 |

FY2022 And FY2023 Community Services Performance Contract

FY2022 Exhibit A: Resources and Services

CSB 400 Emergency and Ancillary Services

Northwestern Community Services

Report for Form 01

| Core Services | Projected Service Capacity | Projected Numbers of Individuals Receiving Services | Projected Total Service Costs |
|--|----------------------------|---|-------------------------------|
| 100 Emergency Services | 22.25 FTEs | | \$2,944,372 |
| 390 Consumer Monitoring Services | 1 FTEs | | \$107,080 |
| 720 Assessment and Evaluation Services | 4 FTEs | | \$276,911 |
| Totals | | | \$3,328,363 |

FY2022 And FY2023 Community Services Performance Contract

Table 2: Board Management Salary Costs

| Name of CSB: | Northwestern Community Services | FY 2022 | | |
|---------------------------|---------------------------------|--------------|---------------|--------|
| Table 2a: | FY 2022 | Salary Range | Budgeted Tot. | Tenure |
| Management Position Title | Beginning | Ending | Salary Cost | (yrs) |
| Executive Director | \$154,547.00 | \$154,547.00 | \$154,547.00 | 5.80 |

Table 2: Integrated Behavioral and Primary Health Care Questions

1. Is the CSB participating in a partnership with a federally qualified health center, free clinic, or local health department to integrate the provision of behavioral health and primary health care?

Yes

2. If yes, who is the partner?

a federally qualified health center

Name:

a free clinic

Name: St. Luke and Shenandoah County Free Clinic

a local health department, or

Name:

another organization

Name: Shenandoah Pediatrics

3. Where is primary health (medical) care provided?

on-site in a CSB program,

on-site at the primary health care provider, or

another site --specify:

4. Where is behavioral health care provided?

on-site in a CSB program,

on-site at the primary health care provider, or

another site --specify:

Re: Heavy Equipment questions relative to county government equipment

Nick Mrzlak <mrzlak@teamrubiconusa.org>

Fri 4/22/2022 1:16 PM

To: Cal Verdin <verdin@teamrubiconusa.org>; Bruce Randall <bruce.randall@teamrubiconusa.org>

Cc: William Porter <porter@teamrubiconusa.org>

Hey Bruce,

The short answer is yes we could use a jurisdiction's equipment for operations.

A couple of things we would need to make it happen:

- The equipment falls within TR policy (attached). Limits us to Skids, CTLs, and EXs.
- We have a release of liability from the jurisdiction. This could be an MOU, liability waiver, hold harmless agreement, etc. We could turn this over quickly if needed for a response but a prearranged understanding would make things easier.
- We accept the equipment's mechanical status and are not responsible for wear and tear but will assume repairs for negligence from our operators.
- Confirm arrangements for moving equipment in line with our program to include trailer type, towing specs, and driver requirement. The biggest barrier is moving large Exs.

If you have the relationship established, you can work through the Ops associate for that area and we can get the ball rolling.

Thanks, Nick

Nick Mrzlak

Director Field Leadership and Training

(O) 310.640.8787 | (M) 505.320.3038

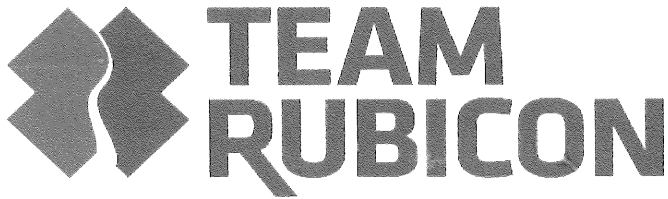
Team Rubicon | BUILT TO SERVE

CFC #59162

**FOUNDING MEMBER OF THE VETERANS COALITION FOR VACCINATION**

From: Cal Verdin <verdin@teamrubiconusa.org>**Sent:** Friday, April 22, 2022 9:02 AM**To:** Bruce Randall <bruce.randall@teamrubiconusa.org>**Cc:** William Porter <porter@teamrubiconusa.org>; Nick Mrzlak <mrzlak@teamrubiconusa.org>**Subject:** Re: Heavy Equipment questions relative to county government equipment

Thanks Bruce. I have escalated this and am waiting for guidance.



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TEAM RUBICON STANDARD OPERATING GUIDELINE 2019

| | |
|--------------------------------|------------------|
| Heavy Equipment and Operations | Field Operations |
| Effective Date | 1-1-2019 |
| Revised | 1-1-2019 |

Purpose:

Team Rubicon disaster operations often require the use of heavy equipment assets. To effectively deploy these assets in a consistent, safe and effective manner, standardization of deployment protocols and procedures is necessary.

This document is official and will be used within any capability but will be superseded with the publication of the Debris Removal Manual. This SOG will outline the types of heavy equipment used by TR and their intended purposes, as well as the operator levels of certification and requirements for deployment in support of disaster mitigation, response, and recovery operations.

Scope:

This guideline applies to all TR members, staff, contractors or other personnel supporting active operations, deployments, projects, and training events.

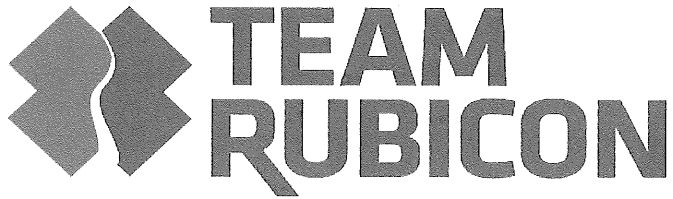
Guideline:

This SOG is not intended to capture all possible uses of heavy equipment. Any other deployments of HE requires NOC approval. Heavy Equipment operators shall adhere to the USFW safety policies outlined in the HEO1 Safety Course as a minimum, TR policies and guidelines can add to USFW policies but cannot take away from them.

Sections

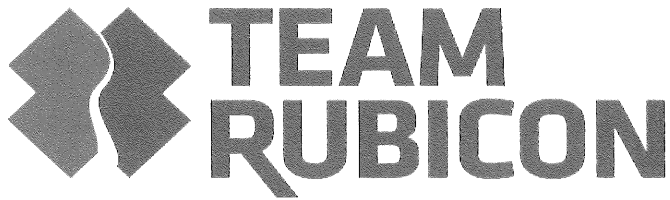
Each blue section is linked (hold CTRL and click the link) to that part of the SOG document

- [Class and Uses](#)
 - [Excavator](#)
 - [Skid steer](#)
 - [Other](#)
- [Operator Levels and Capabilities](#)
 - [HEO1](#)
 - [HEO2](#)



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- HESI1
- HESI2
- HEO3
- Procedures for Deploying Heavy Equipment
 - Demolition
 - Debris Removal
 - Recovery and Mitigation
- HE Logistics
- HE one pager



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Heavy Equipment Classes and Uses:

Excavator

- Can be any size necessary to complete the task safely
- Used primarily for structural demolition
- Metal or rubber tracked
- Requires the use of a mechanical or hydraulic thumb for debris manipulation
- Smaller excavators can be ideal to assist sawyer teams with manipulating trees safely
- Not efficient for long distance debris removal
- Not easily transported to different locations over distances

Skid steer/CTL

Skid Steer

- Can be any size necessary to complete the task safely
- Used for debris removal or transport of material
- Utilizes tires
- Requires attachments necessary for the task being completed
 - Soft material (sand, dirt) – standard bucket
 - Loose Debris (bricks, small debris) – standard bucket with grapples
 - Large debris (structural members, appliances, building materials) – Grapple bucket
 - Pallets – Fork attachment
- Better for use on hard ground or roadways, not soft or wet ground
- Not Permitted for structural demolition, only debris removal

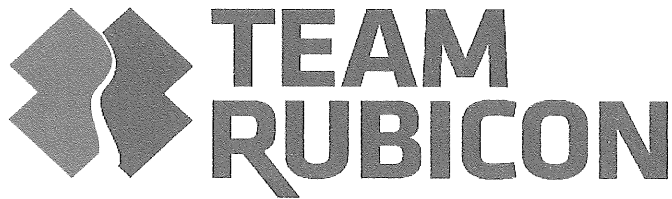
Compact Track Loader (CTL)

- Same uses as a skid steer
- Uses rubber tracks instead of tires
- Much better suited for soft or wet ground due to reduced ground force under the machine
- Not Permitted for structural demolition, only debris removal
 - Typically used to assist with debris removal from demolition projects.

Other Equipment Types

Other equipment types must be approved by Deputy Director of Field Operations, or the Director of Field Operations, with confirmation from the HE Cadre Coordinator on operator qualifications.

- Operators of machines other than above equipment types should prove competency and training for those machines
 - Qualification submitted to HE Cadre Coordinator for verification
 - Need must be proven in an Operational plan submitted to the NOC detailing:
 - Machine types and need
 - Operators for the equipment
 - Equipment examples are: front end loader, backhoe, and dozer certified through USFWS



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Heavy Equipment Operator Levels and Capabilities:

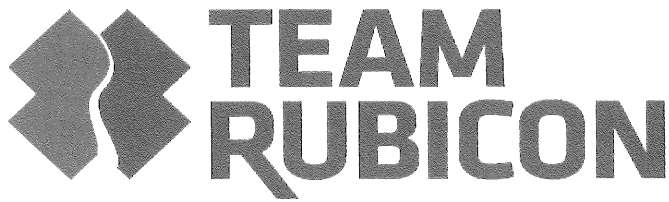
The Team Rubicon National Training Shop will maintain an operational database, available in Roll Call, of the following operator categories: HEO1, HEO2, HESI1, HESI2, HEO3

Heavy Equipment Operator Level 1 (HEO1)

- Initial Certification Requirements:
 - Successful completion of the US Fish and Wildlife Service (USFWS) HE online pre-course through DOI Talent as well as the two-day in person HE Operations 1 training course.
 - Assigned a task book for completion upon graduation from the two day HE Operations 1 training course.
- Capabilities:
 - Operate HE they are certified in under the direct supervision of a HESI2 or HEO3
- Ongoing Training Requirements:
 - Operate each classification of equipment you are certified in within the last 18 months. If you haven't operated equipment in 18 months you must retake the DOI Talent HE pre-course.
 - HEO refresher training required within 36 months of initial certification.

Heavy Equipment Operator Level 2 (HEO2)

- Initial Certification Requirements:
 - Current HEO1
 - Successful completion of the HEO2 task book for Excavator or for Skid steer/CTL
 - Task books can be completed for each class of machine at different times or concurrently
 - Operator can be a level 2 in one class and still a level 1 in a different class
 - The task book may be waived due to demonstrable HE experiences from a professional background
 - To waive the task book, it must be approved by the HE Cadre Coordinator following recommendations by at least 2 current HESI's or HEO3's
 - Recommendation to the HE Cadre Coord. by a HESI
 - Final review and sign off by the HE Cadre Coordinator
- Capabilities:
 - Operate each class of equipment they have attained level 2 in without direct supervision
 - Conduct debris removal or support operations only
 - Structural demolition is not permitted without an HEO3 present
 - Not permitted to supervise an HEO1
 - Ensure Pre and Post work inspections and maintenance is completed daily and at demob
- Ongoing Training Requirements:
 - Operate each class of equipment you are certified in within the last 18 months. If you haven't operated equipment in 18 months you must retake the DOI Talent HE pre-course. After pre-course is completed



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you must operate under supervision of a HESI2 or HE03 for a minimum of 2 hours, including a pre-work and post work inspection, or until satisfactory proficiency is demonstrated to operate independently.

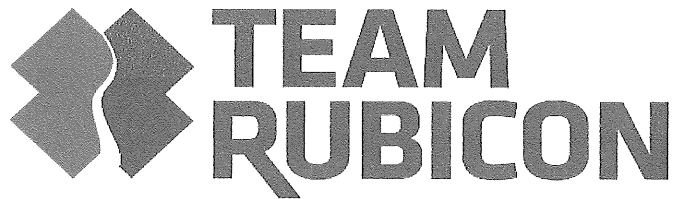
- HEO refresher training required within 36 months of initial certification.

Heavy Equipment Instructor One (HESI1)

- Initial Certification Requirements:
 - Successful Completion of the USFW HE Train the Trainer program
 - Ability to mentor and encourage all members of the HE programs
 - Current HE01
- Capabilities:
 - Teach classroom portion of HEO1 course, can teach outdoor portion with a HESI2 supervising
 - Serve as operational supervision with a HE03 onsite
 - Ensure Pre and Post work equipment inspections and maintenance is completed
- Ongoing Training Requirements:
 - Teach 1 HE01 safety course in 18 months
 - Maintain HE01 status
 - Instructor Refresher required every 36 months after initial HESI certification, with 6-month grace period
 - If ongoing requirements are not met
 - Online DOI Talent HE Trainer courses must be retaken, and Instructor Status will not be valid until refresher or full HESI course (after 6-month grace) is successfully passed.

Heavy Equipment Safety Instructor Two (HESI2)

- Initial Certification Requirements:
 - Current HE02
 - Successful Completion of the USFW HE Train the Trainer program
 - Ability to mentor and encourage all members of the HE programs
- Capabilities:
 - Same as HE02 for operating
 - Permitted to supervise HEO's for debris removal and support operations
 - Must complete technical work that other operators cannot complete
 - Must be able to assess safety and capability of TR to complete work before accepting the work order
 - Can refuse work based on safety or capabilities
 - Can supervise up to 2 machines if they are on the same site and both machines can be seen.
 - Still requires a spotter for each machine
 - Structural demolition is not permitted without an HE03 present
 - Ensure Pre and Post work equipment inspections and maintenance is completed daily and at demob
- Ongoing Training Requirements:
 - Teach 1 HE01 safety course within 18 months
 - Maintain HE02

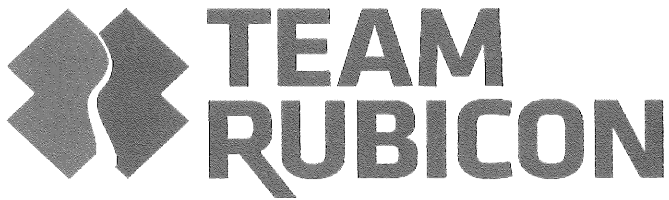


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- Instructor Refresher required every 36 months after initial HESI certification, with 6-month grace period
- If ongoing requirements are not met
 - Online DOI Talent HE Trainer courses must be retaken, and Instructor Status will not be valid until refresher or full HESI course (after 6-month grace) is successfully passed.
 - Teach one course under a current HESI
 - Must complete HEO2 ongoing requirements as well

Heavy Equipment Level 3 Operator (HEO3)

- Initial Certification Requirements:
 - Current HEO2
 - Demonstrable heavy equipment knowledge and experience
 - High operational proficiency
 - Uncompromising adherence to safety standards
 - Knowledge of staffing and typing correct equipment needs for operations
 - General building construction knowledge is highly recommended
 - Knowledge and demonstration of TR cultural and service principles
 - Taken all DOI Talent courses required for HESI
 - Demonstrate excellent leadership, mentoring, and teamwork qualities
 - ICS 300
 - Working knowledge of general permitting and code requirements
 - Completed the HEO3 skills test
 - Completed HEO3 Task book
 - Approval by the Deputy Director of Training after recommendation by the HE Cadre Coordinator
- Capabilities:
 - Can conduct all TR HE operations on any project or operation
 - Independently deploy under the IMT to do HE recon tasks prior to approval of a HE operation
 - Supervise HEO1, HEO2, and other HEO3 operators during operations or training events.
 - Supervise Structural demolition
 - Must complete technical work that operators cannot safely complete
 - Must be able to assess safety and capability of TR to complete a demolition project before accepting the work order
 - Can refuse work order based on safety or capabilities
 - Serve as the subject matter expert on site for the Command staff
 - Oversee all HE operations
 - Manage HE workflow in cooperation with onsite Ops Chief and Planning Chief
 - Ensure HE safety during the operation and advise onsite Safety Officer of any additional safety measures that are HE specific.
 - Ensure Pre and Post work inspections and maintenance is completed daily and at demob
- Ongoing Training Requirements:
 - Must maintain all operator qualifications for HEO2 and/or HESI if they are also an instructor.



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- Must serve as a HEO3 within 18 months
- If ongoing Training Requirements are not met
 - Must serve as a HEO3 under a current HEO3 for a minimum of one day
 - Must complete all other HEO ongoing requirements as well

Procedures for deployment of Heavy Equipment for Response Operations:

Structural Demolition:

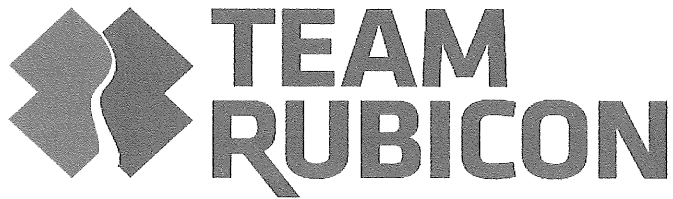
On occasion, TR will be asked to assist communities and homeowners by performing full demolition services on structures deemed unsalvageable post disaster. HE may be required to support these structural demolitions that will necessitate a HE Demolition (Demo) Team.

Demolition Task Force Size and Capabilities:

- A heavy equipment demolition task force consists of the following:
 - 6 Personnel
 - Appropriately sized excavator with 2 operators at level 1 or 2
 - Skid Steer or Compact Track Loader with 2 operators at level 1 or 2
 - Level 3 Operator for field supervision
 - HESI2 for field supervision during times when there is no demolition taking place
- A heavy equipment demolition team can approximately complete the following in a single day of operation:
 - 1/2 large two story structure.
 - 1 small to medium one-story structures.
 - 2-3 mobile homes near each other
 - 4-6000 cubic ft of demolition pushed to curb
 - Structural demolition is defined as any standing structure, or piece of detached structure that is larger than the equipment being used to remove it
 - A piece of structure that is taller than the top of a skid steer should be considered a demolition not debris removal
 - This practice ensures that machines are not damaged, and operators are working safely and confidently
- All demolition work orders should as close as possible and no more than a 3-mile radius. The National Operations Center (NOC) may approve variations

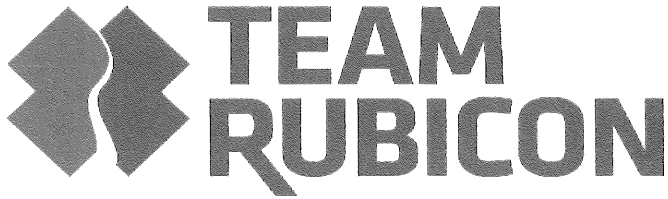
Demolition Team Deployment:

- All heavy equipment demolition team deployments shall be at the discretion of the Incident Commander (IC) and will be approved by the Deputy Director of Field Operations. If the Deputy Director of Field Operations is unavailable, then direction will be provided by the Director of Field Operations.



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- The IC may request the support of a heavy equipment demolition team if there is, based on the above guidance, a sufficient number of potential structural demolition work orders to support a demolition team for a minimum of five (5) days.
- A request for heavy equipment demolition support will trigger the following steps:
 - The IC and/or the Liaison shall contact the local jurisdictional authorities to determine if Team Rubicon meets the requirements necessary to conduct demolition work orders.
 - The IMT Chief will deploy a HEO3 for work order confirmation and permitting and code compliance assistance
 - The National Logistics Team shall contact Case Equipment to notify them of a potential equipment need.
- HEO3 Responsibilities upon arrival:
 - HE technical specialist,
 - Verify the work orders align with Team Rubicon capabilities,
 - Verify TR meets local code and permitting requirements for structural demolitions,
 - Determining the type and size of the equipment needed,
 - Determining the operator staffing requirements,
 - Information will be provided to the IC for fulfillment through the command staff
- Once HE demolition teams are on site
 - HEO3 serves as the HE leader within the current ICS plan
 - Supervise operators
 - HEO3 is responsible for scheduling and planning work progress and order of operations.
 - All work should be planned through the OSC and PSC for unity of operations
 - Demolitions should be scheduled based of geographical proximity to current worksite 1st, then OP priority 2nd
 - Assess work orders align with our capabilities and onsite operator skills
 - Provide mentoring and instruction to operators
 - Complete technical work that operators cannot complete safely
 - Ensure equipment maintenance is completed
 - Any other task that falls under the HE operations onsite
- If work order flow exceeds the capabilities of a single demolition team, the HEO3 may communicate those needs to the IC who will, in turn, request additional resources from the IMT Chief.
 - If multiple, HE Demolition teams are required onsite an HEO3 will serve as the supervisor for all HE teams within the current ICS plan



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Debris Removal or Support Operations:

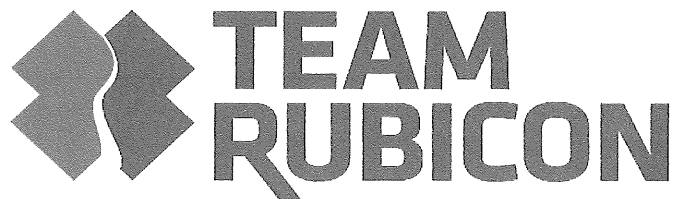
On occasion, due to oversized debris or other operational needs, heavy equipment may be required to assist with debris removal operations only. A HE debris removal team is designed to operate alongside saw teams, debris removal teams or as a standalone strike team.

Debris Removal Team Size and Capabilities:

- A debris removal team can be formed in any of the following formats:
 - One skid steer/CTL or one Excavator with the following staffing,
 - 2 - HEO2
 - 2 - HEO1 with 1 - HESI2 or HEO3
 - 1 - HEO1 and 1 HEO2 with 1 - HESI2 or HEO3
- HE debris removal team can approximately complete the following in a single day of operation:
 - 3-4 debris removal work orders
 - Debris removal work orders for HE can include:
 - Large exterior debris piles requiring PTC
 - Long distance travelled to bring materials to the curb
 - Large Diameter or multiple tree removal work orders – reducing sawyer fatigue and equipment damage
 - Any work order that requires tedious movement of materials by hand that equipment can be used to reduce fatigue
 - Any work order that HE can increase operational safety
 - HE should be considered if the current operational staffing includes a minimum of three chainsaw strike teams with at least five days of work

Heavy Equipment Debris Removal Team Deployment:

- If, based on the above guidelines, the IC determines a minimum of five days of heavy equipment debris removal team work orders, and those work orders are verifiable through Palantir, the IC may request heavy equipment support from the IMT Chief for approval by the Deputy Director of Field Operations. If the Deputy Director of Field Operations is unavailable, then direction will be provided by the Director of Field Operations.
- If the Deputy Director of Field Operations approves, the following steps will occur:
 - The NOC will identify and deploy a maximum of two heavy equipment debris teams per the above team guidelines.
 - If more than two heavy equipment debris removal teams are required, a HEO3 is to be deployed to act as the Heavy Equipment Supervisor.
 - The National Logistics Team shall contact Case Equipment to notify them of a potential equipment need.



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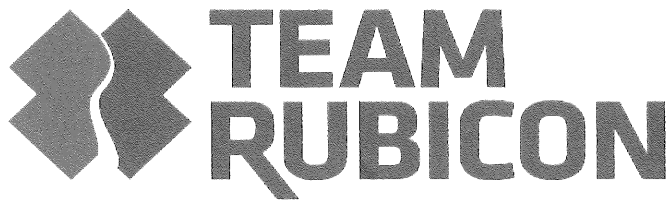
Recovery and Mitigation Operations

These operations generally have much longer planning times and can be ideal for HE proficiency and task book completion.

- A regional HEO3 or the HE Cadre Coordinator should be included in planning as soon as possible
 - Plan for HESI or HEO3 support
 - Possible out of Region travel costs associated to the event
 - Equipment typing and staffing planning
 - Advanced notice to Case, for special equipment, through the NOC
- Operations should meet a minimum of 2-3 days operational periods per average daily work performed guidelines.
 - Using estimating guidelines from the response operation section,
 - Including an Operational plan for task book completion and mentoring opportunities available during the event
- All Demolition and Debris removal teams will be utilized in the same configurations and methods as a response operation
- Single Operational period events must be approved by the NOC and should include local rental equipment.

Heavy Equipment Logistics:

- The National Operations Center shall be responsible for all equipment procurement.
 - Information needed for an equipment request
 - Types and amount of machines
 - Attachments needed
 - Delivery address, including local conditions for delivery. For example, if the delivery is in a parking lot with no loading dock, it must be stated, otherwise it might ship it on a trailer that requires a loading dock to unload the equipment.
 - Onsite POC
 - Operational timeline
 - Delivery- is the OP in progress or being planned? State if request is ASAP, or a planned OP start date
 - Demob and pickup, estimates or exact date if known.
 - Timeline for equipment delivery can take 2 days to a week, depending on timing of the initial request
- Insurance requirements for HE will vary for each event. Insurance requirements need to be verified and met before operations can start. Vendors may require additional insurance on machines due to the nature of TR operations.
- Equipment
 - Case Equipment has priority and first right of refusal to supply equipment
 - If for some reason Case cannot supply equipment the sourcing of Rental Equipment should be carried out through the NOC in coordination with onsite, HE supervisors, to ensure correct typing
 - Case rental equipment should be requested from the rental company if they have it available
- At no time, on any Team Rubicon operation, mitigation, training, or other event shall member-owned heavy equipment be used.



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- At no time, on any Team Rubicon operation, mitigation, training, or other event shall donated heavy equipment be used, unless from a legitimate, recognized rental company with a maintenance and insurance policy in place. The NOC must be notified for confirmation, prior to operation with the donated equipment.
- We can use equipment from organizations that we have partnered with and have a MoU (memorandum of understanding) on file for.
 - USFW
- All equipment delivered will be logged both upon delivery and after all work is complete, submit to the LSC onsite
 - 360 photos of the machines including the engine compartment
 - Hour gauge photos of each machine
 - Log equipment coming from different vendors separately for tracking purposes
 - Skid steer attachments may be separate from the machine on invoices
 - Precheck performed by supervision before operations
- Any logistic needs after equipment is onsite should be directed through the standard logistics request process for the NOC. If the NOC logistics is unavailable contact the HE Cadre Coordinator. At no time should a TR member contact Case Equipment directly unless authorized by either the NOC or the HE Cadre Coordinator.
 - This includes breakdowns, service needs, and additional equipment requests
- One HE kit will be supplied for each HE worksite out of regional caches

HE One Pager for C and G use on OPS

Operator Levels and Capabilities

- HEO1 - Requires direct supervision from a HESI2 or HEO3
- HEO2 - May operate unsupervised for debris removal, demolition requires a HEO3, not allowed to supervise other operators
- HESI1 - Instruct with an HESI2 for a class, operate as a HEO1 during an OP
- HESI2 - Can lead instruct a HEO1 class, can supervise HEO1 for debris removal, demolition still requires a HEO3 present
- HEO3 - Operate any machine they are qualified through FWS for, supervise all other operators for debris removal or demolitions, SME for C and G staff, complete work that cannot be safely completed by an HEO1 or HEO2

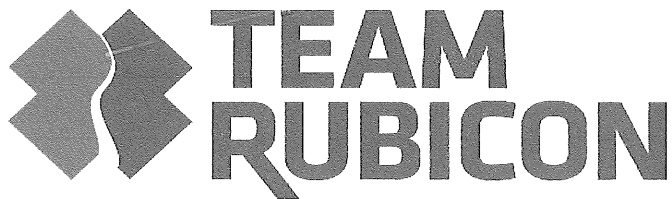
Machine Capabilities and Primary Uses

Excavator

- Structural demolitions and debris management
 - Primarily used for demolitions
 - Must be correctly sized for the structure that is being demo: see onsite HEO3 for questions

Skid steer or Compact Track Loader (CTL)

- Debris management only: no debris taller than the roof of the skid steer, can help with long transport distances for hand crews.
- Work with sawyer teams to remove tree debris



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Daily needs for each HE team:

Demolition Team

- Staffing – 2 operators per machine, with 1 HESI2, and 1 HEO3
- Paperwork – need the following paper forms in hand for every work order assigned on the daily 204
 - signed right of entry form, signed and witnessed full demolition waiver, blank 208he form for each work order

Debris Removal Team

- Staffing – 2 HEO2's, or 2 HEO1 with a HESI2 or HEO3
- Paperwork – daily 204, and sign right of entry waiver, blank 208he form for each work order

Machine Breakdowns or Incidents

- Must notify the current HEO3 or the HE Supervisor onsite on any downtime event
 - They will work the chain of command to notify C+G and NOC Logistics team, and HE Cadre Coordinator
 - DO NOT contact Case or Local Case dealers directly, we have National partnership contacts in place
- An accident report must be filled out:
 - For any machine breakage
 - For any damage to property not included in our work
 - Used to track accidents so we can identify trends and improve the program
 - If incident is caused by operator awareness or careless disregard for safety or policies, then incidents, and near misses can lead to corrective measures up to and including operator suspension, mandated refresher training prior to continuing operations, or loss of operator qualifications.

Upcoming Maintenance Projects & Funding

SEPTEMBER 6, 2022

Courthouse Maintenance Needs

- On August 9th, it was reported that mold was noticed by Courthouse staff in the General District Court.
- Maintenance staff immediately responded and initiated the following
 - Testing from Winchester Environmental Consultants on mold growth.
 - Quote for HVAC unit which would increase airflow/limit humidity causing mold growth.
 - Quote for carpet removal and replacing with laminate flooring.
 - Instructed Courthouse staff to move court proceedings to other locations.
 - Investigated drainage issues off Jackson Street and Royal Avenue.





Completed Work

- Maintenance has begun improving drainage by building up around the foundation of the Courthouse and building trenches to divert water away from the building.
- Testing completed to find active mold growth in General District Courtroom and potential airborne levels in the clerk's office area.
- Quotes obtained for HVAC replacement, HVAC cleaning, floor replacement, ceiling replacement, and furniture replacement in GDC.
- Sprayed affected areas with Purtabs Electrostatic System which kills mold as well as pathogens.



Schedule of Work to Complete

- In Early September, Maintenance staff will begin the following schedule of work to completely renovate the affected area:
 - Remove and replace all ceiling tiles
 - Remove all affected furniture
 - Coat walls and trim with Kilz, then paint
 - Clean and replace lighting as needed
 - Clean vents and returns
 - Wipe down all surfaces including woodwork with anti-fungal
 - Replace furniture with non-cloth materials.
 - Build new attorney tables
- Work expected to be completed before the end of October



Vendors Contracted

- HVAC Replacement, Duct Cleaning, and Flooring Replacement will need to be conducted by outside vendors.
 - Maintenance staff received 3 quotes for HVAC Replacement and found AireServ to be the lowest bidder. They will also clean the ducts.
 - Flooring replacement will be completed by Loudoun Valley Floors.
 - All other work will be completed by County Staff to renovate the affected area.
-
- A purchase order for \$65,564 to include all work above was approved by the Finance Department on August 26th due to the nature of work being a mandated emergency.

Summary of Schedule & Price

| Work to Be Completed | Timeframe | Approximate Cost |
|---------------------------------|----------------------------|------------------|
| HVAC Replacement | Late September | \$28,644 |
| HVAC Cleaning | Early October | \$2,295 |
| Floor Replacement | Late September | \$19,950 |
| Furniture Replacement | Early October | \$8,000 |
| Materials for Painting/Cleaning | Early September | \$3,300 |
| Ceiling Replacement | Late September | \$3,375 |
| Contingency | N/A | \$6,550 |
| | | |
| COMPLETION | Mid to Late October | \$72,114 |

Funding

- Maintenance & Finance staff identified \$80,291 available in Courthouse related items in the Special Projects Fund.
- At the September 20th meeting the Board will receive a Budget Adjustment Request to move the funding from the Special Projects Fund to the Capital Improvement Fund.
- Finance will use the funding to create a “Courthouse Renovations” budget line in the Capital Improvement Fund which will track all expenses related to updating the Courthouse long-term.
- Any remaining funding leftover from the initial transfer will stay in the line item to pay for future Courthouse Renovation needs.

Future

- The Courthouse is an aging building with multiple renovation needs.
- Staff is beginning work internally on the CIP for FY 23-27.
- Maintenance Staff will give input on needs at the Courthouse for inclusion in the CIP, which guides the budgeting process for FY 23-24.
- Additional funds will be needed to further renovate or update the Courthouse.



Questions on the Courthouse?



Government Center HVAC Replacement

- Maintenance staff has identified the need to replace one of the HVAC units on the Government Center.
 - This unit controls the Board Room/Caucus Room area and cannot provide heat in the coming months.
- Replacement of the Unit received 3 quotes with AireServ being the lowest at just under \$50,000
- Currently, \$50,000 exists in the Special Projects Fund under HVAC Replacement for the Government Center
- At the September 20th Board Meeting, there will be Budget Transfer Request to move the funding from Special Projects to the Asset Replacement Budget to purchase the unit.
- A purchase order was approved August 26th for the replacement.

Other Questions?





WARREN COUNTY SHERIFF'S OFFICE

200 Skyline Vista Drive, Front Royal, Virginia 22630
(540) 635-4128 (540) 636-4950 (Fax)

www.warrencountysheriff.org

Mark A. Butler, Sheriff

To: Warren County Board of Supervisors

From: Mark A. Butler, Sheriff

Date: August 29, 2022

RE: Purchase of 4 Vehicles

Agenda Item: Purchase of Replacement Vehicles

Summary: We are requesting to purchase the following:

4 Ford Interceptor Utilities from Hall Automotive off the Virginia Sheriff Association contract \$164,358.60

Upfitting through Dana Safety Supply off a Prince William County Contract \$40,794.08

Motorola Radios off the VITA Contract \$33,565.18

Motorola Watchguard Cameras off the eVA Contract \$22,880.00

These vehicles will be used for the Patrol Division.

Council Discussion:

Budget / Funding: The cost of the initial purchase of these 4 vehicles total \$164,358.00. To install lights, siren, and other equipment vehicle will cost an additional \$40,794.08. Radios and In-Car cameras have already been ordered which total \$56,445.18. All totaling \$261,597.86. The Board of Supervisors previously approved the purchase of 4 vehicles and authorized \$260,000.00 to be allocated to asset replacement.

Sales Quote

DANA SAFETY SUPPLY, INC
 4809 KOGER BLVD
 GREENSBORO, NC 27407

Telephone: 800-845-0405

| | |
|-----------------|----------|
| Sales Quote No. | 454337 |
| Customer No. | WARRENCO |

Bill To

WARREN COUNTY SHERIFF'S OFFICE
 200 SKYLINE VISTA DRIVE
 FRONT ROYAL, VA22630
 US

Ship To

(For Pickup - LORT)
 DANA SAFETY SUPPLY
 8520 CINDERBED ROAD
 STE 600
 LORTON, VA22079

Contact: TERRY FRITTS
 Telephone: 540-635-4128
 E-mail: tfritts@warrencountysheriff.org

Contact:
 Telephone:
 E-mail:

| Quote Date | Ship Via | F.O.B. | Customer PO Number | Payment Method | |
|----------------|----------------------|-----------------------|--|----------------|----------------|
| 08/25/22 | GROUND SHIPMENT | PPAY & ADD TO INVOICE | 4 EXPLORERS | NET30 | |
| Entered By | Salesperson | Ordered By | Resale Number | | |
| Brian Balas | Brian Balas - Lorton | TERRY FRITTS | | | |
| Order Quantity | Approve Quantity | Tax | Item Number / Description | Unit Price | Extended Price |
| 4 | 4 | Y | MISC BI LSBD-3071GP-11 Warehouse: LORT Vin #: TEMPEST LIGHT BAR R/W R/W R/W R/W R/W R/W B/W B/W B/W B/W B/W B/W R/W B/W R/W RAW RAW RAW RAW RAW BAW BAW BAW BAW BAW/W 54" | 1,254.0000 | 5,016.00 |
| 4 | 4 | Y | 2023 FORD POLICE INTERCEPTOR UTILITY BI-ST3-B Brooking 3 Diode Super Thin Surface Mount Blue Warehouse: LORT Vin #: | 50.0000 | 200.00 |
| 4 | 4 | Y | GRILL POP OUT PASSENGER SIDE BI-ST3-R Brooking 3 Diode Super Thin Surface Mount Red Warehouse: LORT Vin #: GRILL POP OUT DRIVER SIDE | 50.0000 | 200.00 |

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| 28 | 28 | Y | BI-ST6-BB BI Super Thin 6 LED Surface Mount - Blue/Blue Warehouse: LORT Vin #: (1) OPEN REAR HATCH PASSENGER SIDE (1) PASSENGER SIDE FRONT SIDE BUMPER (1) PASSENGER SIDE REAR SIDE BUMPER (1) DRIVES SIDE FRONT SIDE BUMPER (1) DRIVERS SIDE REAR SIDE BUMPER (1) FRONT LICENSE PLATE BRACKET (1) REAR LICENSE PLATE BRACKET | 70.0000 | 1,960.00 |
| 12 | 12 | Y | BI-ST6-RR BI 6 LED super thin surface mount lighthouse - black ba Warehouse: LORT Vin #: (1) OPEN REAR HATCH DRIVERS SIDE (1) FRONT LICENSE PLATE BRACKET (1) REAR LICENSE PLATE BRACKET | 70.0000 | 840.00 |
| 8 | 8 | Y | PMP2BRK2LPV SOI LICENSE PLATE BRACKET, VERTICAL MNT FOR4" MPOWER Warehouse: LORT Vin #: (1) REAR (1) FRONT | 22.3600 | 178.88 |
| 4 | 4 | Y | JS-100 BI 100W compact siren speaker w/ L Bracket - 11 Ohms Warehouse: LORT Vin #: Replaces LS-100 | 140.0000 | 560.00 |

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| Order Quantity | Approve Quantity | Tax | Item Number / Description | Unit Price | Extended Price |
| 4 | 4 | Y | BI-SDP212-R BI 200W Fully Programmable 200W Full function Warehouse: LORT Vin #: | 450.0000 | 1,800.00 |
| 4 | 4 | Y | SIREN 77553 SLI ULTRA STINGER LED 120V AC/DC Warehouse: LORT Vin #: | 135.0000 | 540.00 |
| 4 | 4 | Y | C-VS-1012-INUT HAV 22" Angled Low Profile Console Warehouse: LORT Vin #: | 305.0500 | 1,220.20 |
| 4 | 4 | Y | C-VS-1012-INUT C-CUP2-I HAV IN-CONSOLE DUAL CUP HOLDER Warehouse: LORT Vin #: | 26.4800 | 105.92 |
| 4 | 4 | Y | C-LP2-PS1-USB HAV 2-12V PLUGS AND 2 USB PORTS Warehouse: LORT Vin #: | 79.2900 | 317.16 |
| 4 | 4 | Y | C-LP2-PS1-USB C-ARM-108 HAV SIDE MOUNTED FLIP UP ARM REST Warehouse: LORT Vin #: | 130.0000 | 520.00 |

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Contact: TERRY FRITTS
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 E-mail: tfritts@warrencountysheriff.org

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 E-mail:

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| Brian Balas | | Brian Balas - Lorton | TERRY FRITTS | | |
| Order Quantity | Approve Quantity | Tax | Item Number / Description | Unit Price | Extended Price |
| 4 | 4 | Y | C-AP-0325 HAV ACCESSORY POCKET 3 HIGH 2.5 DEEP Warehouse: LORT Vin #: | 30.0000 | 120.00 |
| 4 | 4 | Y | C-AP-0325 MISC BI 212-URCP Warehouse: LORT Vin #: EQUIPMENT BRACKET FOR SDP212-R FOR HAVIS CONSOLE | 45.0000 | 180.00 |
| 4 | 4 | Y | MISC HAVIS C-EBW85-XTL-1P Warehouse: LORT Vin #: | 0.0000 | 0.00 |
| 8 | 8 | Y | C-FP-25 HAV 2.5 BLANK FILLER PLATE FOR CONSOLE Warehouse: LORT Vin #: | 0.0000 | 0.00 |
| 4 | 4 | Y | C-MD-119 HAV 11" SLIDE-OUT LOCKING SWING ARM - LOW PROFILE Warehouse: LORT Vin #: | 244.3500 | 977.40 |
| 4 | 4 | Y | UT-1001 Hav Universal Rugged Cradle for approximately 11"-14" Warehouse: LORT Vin #: | 225.0000 | 900.00 |
| 8 | 8 | Y | C-MCB HAV CONSOLE MICROPHONE CLIP BRACKET Warehouse: LORT Vin #: | 11.0000 | 88.00 |

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| 8 | 8 | Y | MMSU-1 MAGNETIC MIC SINGLE UNIT CONVERSION KIT Warehouse: LORT Vin #: | 32.0000 | 256.00 |
| 4 | 4 | Y | QK0566ITU20 SMC OEM REPLACMENT PRISONER SEAT W/ 12 VS CARO Warehouse: LORT Vin #: 2020 PIUT OEM Full Replacement Transport Seat TPO Plastic, with Center Pull Seat Belts & #12VS POLY Cargo Partition ***** | 993.2000 | 3,972.80 |
| 4 | 4 | Y | PK1130ITU20TM Setina 10XL Coated Polycarbonate Recessed (Tall Man) Warehouse: LORT Vin #: | 642.8500 | 2,571.40 |
| 4 | 4 | Y | DK0598ITU20 SMC ALUMINUM DOOR PANEL VS 2020 PIUT Warehouse: LORT Vin #: | 142.3500 | 569.40 |
| 4 | 4 | Y | WK0595ITU20 SMC CLEAR POLY WINDOW BARRIER - 2020+ PIUT Warehouse: LORT Vin #: | 220.3500 | 881.40 |
| 4 | 4 | Y | LOFT-PIU20-2G LUND 2020 PIUT LOFT GUN VAULT MNT, AR15 & SHOTGUN Warehouse: LORT Vin #: 2020 Explorer/Utility M4 & Shotgun Mt. | 875.0000 | 3,500.00 |

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| 4 | 4 | Y | ETFBSSN-P SOI 100% SOLID STATE TAILLIGHT FLASHER (12-WIRE) Warehouse: LORT Vin #: | 44.8800 | 179.52 |
| 4 | 4 | Y | INSTALL KIT MISC INSTALLATION SUPPLIES I.E. Warehouse: LORT Vin #: LOOM, WIRE, HARDWARE, CONNECTORS, ETC ***** | 225.0000 | 900.00 |
| 4 | 4 | N | INSTALL DSS INSTALLATION OF EQUIPMENT Warehouse: LORT Vin #: PURCHASED UNDER FAIRFAX COUNTY CONTRACT 4400009103 | 3,060.0000 | 12,240.00 |

Approved By: _____

Approve All Items & Quantities

Quote Good for 30 Days

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| Print Time | 09:41:13 PM |
| Page No. | 6 |

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| Subtotal | 40,794.08 |
| Freight | 0.00 |
| Order Total | 40,794.08 |

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Hall Automotive - Fleet Team

Proposal

More Cars. Great People.

(a MileOne company)

3757 Bonney Road

Virginia Beach, VA 23452

Phone 757.498.2303 Fax 757.498.2310

DATE:

8/25/2022

| SALESPERSON | CONTACT | CUSTOMER | SHIPPED VIA | F.O.B. POINT | TERMS |
|--|--------------|---------------|-----------------|--------------|----------------------|
| Jake Clarke | Terry Fritts | Warren County | Hall Automotive | Newport News | Net, 30 |
| DESCRIPTION | | | QUANTITY | UNIT PRICE | AMOUNT |
| <u>Virginia Sheriff's Association 22-05-0917</u> | | | | | |
| Spec 139 - 23 Ford Police Interceptor Utility w/ 3.3L V6 | | | 4 | \$ 37,353.15 | \$ 149,412.60 |
| Options to Include: | | | | | |
| > YZ - Oxford White Exterior | | | 4 | Incl | Incl |
| > 96 - Ebony Cloth Buckets w/ Vinyl Rear | | | 4 | Incl | Incl |
| > 67U - Ultimate Wiring Kit | | | 4 | \$ 526.40 | \$ 2,105.60 |
| > 43D - Dark Car Feature | | | 4 | \$ 23.50 | \$ 94.00 |
| > 51T - Driver's Side LED Spotlamp | | | 4 | \$ 394.80 | \$ 1,579.20 |
| > 549 - Power/Heated Mirrors | | | 4 | \$ 56.40 | \$ 225.60 |
| > 55F - Keyless Entry w/ 4 FOBs | | | 4 | \$ 319.60 | \$ 1,278.40 |
| > 67V - Connector Kit | | | 4 | \$ 173.90 | \$ 695.60 |
| > 76R - Reverse Sensing System | | | 4 | \$ 258.50 | \$ 1,034.00 |
| > 76D - Underbody Deflector Plate | | | 4 | \$ 314.90 | \$ 1,259.60 |
| > 68G - Rear-Door Controls Inoperable | | | 4 | \$ 70.50 | \$ 282.00 |
| > 47A - Police Engine Idle Feature | | | 4 | \$ 244.40 | \$ 977.60 |
| > 86T - Tail Lamp/Police Interceptor Housing Only | | | 4 | \$ 56.40 | \$ 225.60 |
| > 61B - OBD-II Split Connector | | | 4 | \$ 51.70 | \$ 206.80 |
| > 66A - Front Headlamp Package | | | 4 | \$ 841.30 | \$ 3,365.20 |
| > 66B - Taillamp Package | | | 4 | \$ 404.20 | \$ 1,616.80 |
| > Delivery | | | | | |
| Proposal Accepted by: | | | | | |
| Printed name: | | | | TOTAL | \$ 164,358.60 |
| Date : | | | | | |

Make all POs to HALL AUTOMOTIVE

If you have any questions, contact Jake Clarke, Fleet Sales, 757.498.2303, jake.clarke@hallauto.com

THANK YOU FOR YOUR BUSINESS!

2023 POLICE INTERCEPTOR UTILITY POLICE INTERCEPTOR MAJOR PRODUCT CHANGES

To learn more about the features on this vehicle, go to www.fordsourcebook.com

MECHANICAL

- ★ *New/Changed*
- N/A

EXTERIOR

- ★ *New/Changed*
- N/A
- ★ *New Colors*
- N/A
- ★ *Deleted Paint Colors*
- N/A

INTERIOR/COMFORT

- N/A

FUNCTIONAL

- N/A

SAFETY/SECURITY

- N/A

DRIVER ASSIST TECHNOLOGY

- N/A

PACKAGES

- N/A

LATEST ORDER GUIDE CHANGES

- ★ Police Perimeter Alert (68B)
- ★ **Updated Note:** Now enables rearview camera image display in the rear view mirror option (87R) when Rear Camera on Demand (19V) is ordered

Product Changes and Features Availability

Features, options and package content subject to change. Please check www.fmcdealer.com for the most current information.

★ = New for this model year

2023 POLICE INTERCEPTOR UTILITY POLICE INTERCEPTOR MAJOR PRODUCT CHANGES

Unique Police Interceptor Utility Features Include:

MODEL/SERIES/AVAILABILITY

- 3 Available Models
 - 3.3L V6 Direct-Injection Hybrid Engine System (AWD)
 - 3.3L V6 Direct-Injection FFV AWD
 - 3.0L V6 EcoBoost® AWD
- 1 Available Series
 - 500A

MECHANICAL

- 3.3L Police-Calibrated V6 Direct-Injection Hybrid Engine System – Standard (Hybrid technology is optimal for performance and long days spent idling on the job)
- AWD Drivetrain – Standard for enhanced handling precision and unsurpassed traction on wet or dry surfaces
- Transmission – 10-speed automatic, police calibrated for maximum acceleration and faster closing speeds
- Lithium-Ion Battery Pack
- Brakes – Police calibrated high-performance regenerative braking system
- 4-Wheel heavy-duty disc w/heavy-duty front and rear calipers
- Brake Rotors – large mass for high thermal capacity and calipers with large swept area.
- Electric Power-Assist Steering (EPAS) – Heavy-Duty
- DC/DC converter – 220-Amp (in lieu of alternator)
- H7 AGM Battery (Standard; 800 CCA/80-amp)
- H8 AGM Battery (Available; 850 CCA/92-amp)
- Cooling System – Heavy-duty, large high volume radiator, Engine oil cooler and transmission oil cooler
- Engine Idle Hour Meter
- Engine Hour Meter
- Powertrain mounts – Heavy-Duty
- Class III Trailer Hitch Receiver with 5,000 lbs. towing capacity and (2) recovery hooks
Note: Includes Class III Trailer Tow Lighting Package
- Wheels
 - Heavy-duty steel, vented with center cap
 - Full size spare tire w/TPMS
- 50-State Emissions System

INTERIOR FEATURES

- Cargo Area – Spacious area for police equipment; Lithium-Ion Battery Pack does not intrude into the cargo area
- Column Shifter
- Seats
 - Front – Police grade cloth – 6-way power-adjustable Manual lumbar, seatback foam designed to comfortably accommodate a utility belt
 - Built-in steel intrusion plates in both front-seatbacks
 - 2nd Row – Police grade vinyl, offers easy care for cleaning
- Flooring – Heavy-Duty vinyl; offers ease of cleaning and long-term durability
- Speedometer – Certified, digital readout in message center and analog gauge
- Universal equipment tray atop instrument panel (ideal for radar and other police equipment)

POLICE UPFIT FRIENDLY

- Consistent 11-inch space between driver and passenger seats for aftermarket consoles (9-inch center console mounting plate)
- Console mounting plate
- Dash pass-thru opening for aftermarket wiring
- Headliner – Easy to service
- Integrated LED police flashers (available)
- Rear-center seat delete (available)
- Taillamps – Integrated police flashers (available)
- Two (2) 50 amp battery ground circuits – power distribution junction block (repositioned behind 2nd row seat floorboard).

TECHNOLOGY

- 12.1" Integrated Computer Screen (Available; includes 12.1" touchscreen display in center stack and allows for operation of laptop in remote location to free up cabin space in front passenger area)
- Ford Telematics™ – Includes Fleet Telematics Modem and complimentary 2-year subscription
- Police Perimeter Alert (available; detects and analyzes motion in an approximately 270-degree radius on sides and back of vehicle)
- Rear Camera On-Demand (available)
- Front Interior Visor Light Bar (LED) Super low-profile warning LED light bar fully integrated into the top of the windshield near the headliner – fully programmable (available; Red/Blue/White LED lights)
- Rear Auxiliary Liftgate Lights (available; Red/Blue LED Lights; located beneath liftgate glass in applique panel)
- Rear Spoiler Traffic Warning Lights (LED) – Fully integrated in rear spoiler for enhanced visibility; Provides red/blue/amber directional lighting – fully programmable (available)
- Pre-Collision Assist with Pedestrian Detection (available; includes Forward Collision Warning and Automatic Emergency Braking and unique disable switch for Law Enforcement use)
- BLIS® – Blind Spot Monitoring with Cross-traffic Alert (available)
- Bluetooth® Interface – Includes hands-free voice command support (compatible with most Bluetooth connected mobile devices)
- Unique Steering Wheel (with 4-remappable latching switches)

SAFETY/SECURITY HIGHLIGHTS

- 75-mph Rear-impact Crash Tested
Note: The full-size spare tire secured in the factory location is necessary to achieve police-rated 75-mph rear impact crash-test performance attributes
- AdvanceTrac® w/RSC® (Roll Stability Control®) police tuned gyroscopic sensors work seamlessly with the ABS
- Ballistic Door-Panels (National Institute of Justice (NIJ) certified to stop Type III, IV, all lesser NIJ rounds, as well as additional special threat rounds) (available)
- Exterior Key Locks – Driver, passenger and liftgate
- Simple Fleet Key (w/o microchip, easy to replace, 4-keys)
- Police Engine Idle feature (available)
- Rear Video Camera with Washer (standard)
- Reverse Sensing (available)

GENERAL

- Underbody deflector plate no longer standard on EcoBoost® models (order 76D)
- Front Headlamp Lighting Solution now includes Red/Blue/White LED Strobes

WARRANTY

- 3 Year / 36,000 Miles Bumper / Bumper
- 8 Year / 100,000 Miles Hybrid Unique Components

POWERTRAIN CARE EXTENDED SERVICE PLAN

- 5-year/100,000-mile Powertrain CARE Extended Service Plan (zero deductible) – Standard

Product Changes and Features Availability

Features, options and package content subject to change. Please check www.fmcdealer.com for the most current information.

★ = New for this model year

2023 POLICE INTERCEPTOR UTILITY STANDARD EQUIPMENT

The following items are std. 2023MY POLICE INTERCEPTOR UTILITY vehicle:

MECHANICAL

- Axle Ratio – 3.73 (AWD)
- Brakes – 4-Wheel Heavy-Duty Disc w/H.D. Front and Rear Calipers
- Class III Trailer Hitch Receiver with 5,000 lbs. towing capacity and (2) recovery hooks
- Note:** Includes Class III Trailer Tow Lighting Package
- Column Shifter
- DC/DC converter – 220-Amp (in lieu of alternator)
- Drivetrain – All-Wheel-Drive
- Electric Power-Assist Steering (EPAS) – Heavy-Duty
- Engine – 3.3L V6 Direct-Injection Hybrid Engine System
- Engine Hour Idle Meter
- Engine Hour Meter
- Engine Oil Cooler
- Fuel Tank – 19-gallons
- H7 AGM Battery (800 CCA/80-amp)
- Lithium-Ion Battery Pack
- Suspension – independent front & rear
- Transmission – 10-speed automatic
- Transmission Oil Cooler

EXTERIOR

- Antenna, Roof-mounted
- Cladding – Lower bodyside cladding (MIC)
- Door Handles – Black (MIC)
- Exhaust, True Dual (down-turned)
- Daytime Running Lamps – Configurable ON/OFF through instrument cluster
- Note:** Select option (942) if desire is to have Daytime Running Lamps permanently on (cannot be turned off or reprogrammed)
- Door-Lock Cylinders (Front Driver / Passenger / Liftgate)
- Glass – 2nd Row, Rear Quarter and Liftgate Privacy Glass
- Grille – Black (MIC)
- Headlamps – Automatic, LED Low-and-High-Beam
- Note:** Includes Front Headlamp / Police Interceptor Housing (with LED wig-wag feature)
 - Pre-drilled hole for side marker police use, does not include LED strobe, but includes LED wig-wag functionality (eliminates need to drill housing assemblies and provides LED wig-wag feature)
 - Pre-molded side warning LED holes with standard sealed capability (does not include LED installed lights)
 - Wig-wag default is traditional ping-pong pattern; can be programmed to triple-burst pattern or ping-pong / triple-burst
 - Note:** Must be wired to vehicle's light controller to enable wig-wag functionality; recommend Ready for the Road Package (67H) or Ultimate Wiring Package (67U)
- Liftgate – Manual 1-Piece – Fixed Glass w/Door-Lock Cylinder
- Mirrors – Black Caps (MIC), Power Electric Remote, Manual Folding with Integrated Spotter (integrated blind spot mirrors not included when equipped with BLIS®)
- Spare – Full size 18" Tire w/TPMS
- Spoiler – Painted Black
- Liftgate Handle – (MIC)
- Tail lamps – LED
- Tires – 255/60R18 A/S BSW
- Wheel-Lip Molding – Black (MIC)
- Wheels – 18" x 8.0 painted black steel with polished stainless steel hub cover
- Windshield – Acoustic Laminated

INTERIOR/COMFORT

- Cargo Hooks in cargo area
- Climate Control – Dual-Zone Electronic Automatic Temperature Control (DEATC)
- Door-Locks
 - Power
 - Rear-Door Handles and Locks Operable
- Fixed Pedals (Driver Dead Pedal)
- Floor – Flooring – Heavy-Duty Thermoplastic Elastomer
- Glove Box – Locking/non-illuminated
- Grab Handles – (1 – Front-passenger side, 2-Rear)
- Heated Sanitization Solution
- Liftgate Release Switch located in overhead console (45 second timeout feature)
- Lighting
 - Overhead Console
 - Red/White Task Lighting in Overhead Console
 - 3rd row overhead map light
- Mirror – Day/night Rear View
- Particulate Air Filter
- Powerpoints – (1) First Row
- Rear-door closeout panels

INTERIOR/COMFORT (continued)

- Rear-window Defrost
- Scuff Plates – Front & Rear
- Seats
 - 1st Row Police Grade Cloth Trim, Dual Front Buckets with reduced bolsters
 - 1st Row – Driver 6-way Power track (fore/aft. Up/down, tilt with manual recline, 2-way manual lumbar)
 - 1st Row – Passenger 2-way manual track (fore/aft. with manual recline)
 - Built-in steel intrusion plates in both driver/passenger seatbacks
 - 2nd Row Vinyl, 35/30/35 Split Bench Seat (manual fold-flat, no tumble) – fixed seat track
- Speed (Cruise) Control
- Speedometer – Calibrated (includes digital readout)
- Steering Wheel – Manual / Tilt / Telescoping, Urethane wheel finish w/Silver Painted Bezels with Speed Controls and 4 user – configurable latching switches
- Sun visors, color-keyed, non-illuminated
- Universal Top Tray – Center of I/P for mounting aftermarket equipment
- Windows, Power, 1-touch Up/Down Front Driver/Passenger-Side with disable feature

SAFETY/SECURITY

- AdvanceTrac® w/RSC® (Roll Stability Control®)
- Airbags, dual-stage driver & front-passenger, side seat, passenger-side knee, Roll Curtain Airbags and Safety Canopy®
- Anti-Lock Brakes (ABS) with Traction Control
- Brakes – Police calibrated high-performance regenerative braking system
- Belt-Minder® (Front Driver / Passenger)
- Child-Safety Locks (capped; set to "on")
- Individual Tire Pressure Monitoring System (TPMS)
- LATCH (Lower Anchors and Tethers for Children) system on rear outboard seat locations
- Rearview Camera with Washer viewable in 4.2" center stack.
- Note:** Rearview Camera viewable in rearview mirror (available) – order 87R (no-charge option)
- Seat Belts, Pretensioner/Energy-Management System w/adjustable height in 1st Row
- SOS Post-Crash Alert System™

FUNCTIONAL

- Audio
 - AM/FM / MP3 Capable / Clock / 4-speakers
 - Bluetooth® interface — Includes hands-free voice command support (compatible with most Bluetooth connected mobile devices)
 - USB Port — (1)
 - 4.2" Color LCD Screen Center-Stack "Smart Display"
- Easy Fuel® Capless Fuel-Filler
- Ford Telematics™ – Includes Fleet Telematics Modem and complimentary 2-year subscription
- Front door tether straps (driver/passenger)
- Power pigtail harness
- Simple Fleet Key (w/o microchip, easy to replace; 4-keys)
- Two-way radio pre-wire
- Two (2) 50 amp battery power circuits – power distribution junction block (behind 2nd row passenger seat floorboard)
- Wipers – Front Speed-Sensitive Intermittent; Rear Dual Speed Wiper

2023 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

| Series | Option Code | Police Interceptor 500A |
|--|----------------|-------------------------|
| Police Interceptor Utility AWD | K8A | S |
| AWD 3.3L V6 Direct-Injection Hybrid Engine System with 10-Speed Automatic Transmission (136-MPH Top Speed) | 99W/44B | S |
| AWD 3.3L V6 Direct-Injection FFV with 10-Speed Automatic Transmission (136-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank | 99B/44U | O |
| AWD 3.0L V6 EcoBoost® with 10-Speed Automatic Transmission – (148-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank | 99C/44U | O |
| EQUIPMENT GROUP | | |
| Interior Upgrade Package <ul style="list-style-type: none"> • 1st and 2nd Row Carpet Floor Covering • Cloth Seats – Rear • Center Floor Console less shifter (Maintains Column Shifter) • Includes Console and Top Plate with 2 cup holders • Floor Mats, front and rear (carpeted) • Includes SYNC 3® | 65U | O |
| Front Headlamp Lighting Solution <ul style="list-style-type: none"> • Includes LED Low beam/High beam headlamp, Wig-wag function and (2) Red/Blue/White LED side warning lights in each headlamp (factory configured: driver's side White/Red / passenger side White/Blue) • Includes pre-wire for grille LED lights, siren and speaker (60A) • Wiring, LED lights included (in headlamps only; grille lights not included). Controller "not" included Note: Not available with option: 67H Note: Recommend using Ultimate Wiring Package (67U) | 66A | O |
| Tail Lamp / Police Interceptor Housing Only <ul style="list-style-type: none"> • Pre-existing holes with standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies) Note: Not available with options: 66B and 67H | 86T | O |
| Tail Lamp Lighting Solution <ul style="list-style-type: none"> • Includes LED lights plus two (2) rear integrated hemispheric lighthead white LED side warning lights in taillamps • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H, 86T Note: Recommend using Ultimate Wiring Package (67U) | 66B | O |
| Rear Lighting Solution <ul style="list-style-type: none"> • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / passenger side blue) mounted to inside liftgate glass • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / Passenger side blue) installed on inside lip of liftgate (lights activate when liftgate is open) • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H Note: LED lights only – does "not" include wiring or controller Note: Recommend using Ultimate Wiring Package (67U) | 66C | O |
| Ready for the Road Package: All-in Complete Package – Includes Police Interceptor Packages: 66A, 66B, 66C, plus <ul style="list-style-type: none"> • Whelen Cencom Light Controller Head with dimmable backlight • Whelen Cencom Relay Center / Siren / Amp w/Traffic Advisor control (mounted behind 2nd row seat) • Light Controller / Relay Cencom Wiring (wiring harness) w/additional input/output pigtailed • High current pigtail • Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head • Pre-wiring for grille LED lights, siren and speaker (60A) • Rear console plate (85R) – contours through 2nd row; channel for wiring • Grille linear LED Lights (Red / Blue) and harness • 100-Watt Siren / Speaker • Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) (52P) Note: Not available with options: 66A, 66B, 66C, 67U and 65U | 67H | O |
| Ultimate Wiring Package Includes the following: <ul style="list-style-type: none"> • Rear console mounting plate (85R) – contours through 2nd row; channel for wiring • Pre-wiring for grille LED lights, siren and speaker (60A) • Wiring harness I/P to rear cargo area (overlay) <ul style="list-style-type: none"> – Two (2) light cables – supports up to six (6) LED lights (engine compartment/grille) – One (1) 10-amp siren/speaker circuit engine compartment • Rear hatch/cargo area wiring – supports up to six (6) rear LED lights • Does "not" include LED lights, side connectors or controller Note: Recommend Police Wire Harness Connector Kit 67V Note: Not available with options: 65U, 67H | 67U | O |

2023 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

EQUIPMENT GROUP

Police Wire Harness Connector Kit – Front/Rear
For connectivity to Ford PI Package solutions includes:

- **Front**
 - (2) Male 4-pin connectors for siren
 - (5) Female 4-pin connectors for lighting/siren/speaker
 - (1) 4-pin IP connector for speakers
 - (1) 4-pin IP connector for siren controller connectivity
 - (1) 8-pin sealed connector
 - (1) 14-pin IP connector
- **Rear**
 - (2) Male 4-pin connectors for siren
 - (5) Female 4-pin connectors for lighting/siren/speaker
 - (1) 4-pin IP connector for speakers
 - (1) 4-pin IP connector for siren controller connectivity
 - (1) 8-pin sealed connector
 - (1) 14-pin IP connector

67V

0

KEY EXTERIOR OPTIONS

| | | |
|---|-----|---------------------------|
| Engine Block Heater | 41H | 0 |
| License Plate Bracket – Front | 153 | 0 |
| Dark Car Feature | | |
| Dark Car Feature – Courtesy lamps disabled when any door is opened | 43D | 0 |
| Daytime Running Lamps | | |
| Daytime Running Lamps (Permanently on – cannot be turned off or reprogrammed) Note: Replaces Standard Configurable Daytime Running Lamps for agencies that require Permanently on Daytime Running Lamps | 942 | 0 |
| Switchable Red/White Lighting in Cargo Area (deletes 3 rd row overhead map light) | 17T | 0 |
| Front Warning Auxiliary LED Lights (Driver side – Red / Passenger side – Blue) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) | 21L | 0 |
| Front Interior Visor Light Bar (LED) | | |
| <ul style="list-style-type: none"> • Super low-profile warning LED light bar fully integrated into the top of the windshield near the headliner – fully programmable. (Red/Red or Blue/Blue operation. White "take down" and "scene" capabilities) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package (65U)) Note: Front/Rear Console Plate no longer required; can be ordered with Interior Upgrade Package (65U) Note: Not available with option 76P | 96W | 0 |
| Pre-wiring for grille LED lights, siren and speaker | 60A | 0 / P-66A / P-67H / P-67U |
| Rear Auxiliary Liftgate Lights (Red/Blue LED Lights; located beneath liftgate glass in applique panel) | | |
| <ul style="list-style-type: none"> • LED lights only. Wiring, controller "not" included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) | 43A | 0 |
| Rear Quarter Glass Side Marker LED Lights (Driver side – Red / Passenger side – Blue) | | |
| <ul style="list-style-type: none"> • LED lights only. Wiring, controller "not" included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) | 63L | 0 |
| Rear Spoiler Traffic Warning Lights (LED) | | |
| <ul style="list-style-type: none"> • Fully integrated in rear spoiler for enhanced visibility • Provides red/blue/amber directional lighting – fully programmable Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package (65U)) Note: Rear Console Plate no longer required, can be ordered with Interior Upgrade Package (65U) | 96T | 0 |
| Side Marker LED – Sideview Mirrors (Driver side – Red / Passenger side – Blue) | | |
| <ul style="list-style-type: none"> • Located on exterior mirror housing • LED lights only. Wiring, controller "not" included Note: Requires Pre-wiring for grille LED Lights, siren and speaker (60A) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) | 63B | 0 |
| Spot Lamp Prep Kits | | |
| Spot Lamp Prep Kit, Driver Only Note: Does not include spot lamp housing and bulb | 51P | 0 |
| Spot Lamp Prep Kit, Dual Driver and Passenger Note: Does not include spot lamp housing and bulbs | 51W | 0 |
| Spot Lamp – LED Light | | |
| Driver Only (Unity) | 51R | 0 |
| Driver Only (Whelen) | 51T | 0 |
| Dual (driver and passenger) (Unity) | 51S | 0 |
| Dual (driver and passenger) (Whelen) | 51V | 0 |
| Glass | | |
| Glass – Solar Tint 2 nd Row door glass, Rear Quarter and Liftgate Window (Deletes Privacy Glass) | 92G | 0 |
| Glass – Solar Tint 2 nd Row Only door glass, Privacy Glass on Rear Quarter and Liftgate Window | 92R | 0 |
| Underbody Deflector Plate (engine and transmission shield) | 76D | 0 |
| Wheel Covers | | |
| Wheel Covers (18" Full Face Wheel Cover) Note: Only available with the standard Police wheel, not available with 64E | 65L | 0 |
| 18" Painted Aluminum Wheel Note: Spare wheel is an 18" conventional (Police) black steel wheel. Not available with 65L. | 64E | 0 |

2023 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

EQUIPMENT GROUP

| | | |
|--|-----|-------------------|
| 12.1" Integrated Computer Screen | | |
| <ul style="list-style-type: none"> Includes 12.1" touchscreen display in center stack and allows for operation of laptop in remote location to free up cabin space in front passenger area Includes Audio Video Extender (AVX) box, (2) AVX cables, (2) USB cables and (1) HDMI cable Includes SYNC 3 Ⓞ | 47E | 0 |
| Rear View Camera displayed in rear view mirror (Includes Electrochromic Rear View Mirror) Note: Not recommended with option 47E 12.1" Integrated Computer Screen Note: This option replaces the standard display in the center stack area. Note: Camera can only be displayed in the center stack (std) "OR" the rear view mirror (87R) | 87R | 0 |
| Rear Camera On-Demand – allows driver to enable rear camera on-demand | 19V | 0 |
| Doors / Locks | | |
| Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) Note: Not available with 68G – includes all content of 68G Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches | 52P | O / P-67H |
| Rear-Door controls Inoperable (locks, handles and windows) Note: Not available with 52P. Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches | 68G | 0 |
| Global Lock / Unlock feature (Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with Remote Keyless Entry) | 18D | 0 |
| Remote Keyless-Entry Key Fob (w/o Keypad, less PATS) – (includes 4-key fobs) Note: Available with Keyed Alike, however, key fobs are "not" fobbed alike when ordered with Keyed Alike | 55F | 0 |
| Keyed Alike – 1435x | 59E | 0 |
| Keyed Alike – 1284x | 59B | 0 |
| Keyed Alike – 0135x | 59D | 0 |
| Keyed Alike – 0576x | 59F | 0 |
| Keyed Alike – 1111x | 59J | 0 |
| Keyed Alike – 1294x | 59C | 0 |
| Keyed Alike – 0151x | 59G | 0 |
| Flooring / Seats | | |
| 1 st and 2 nd row carpet floor covering (includes floor mats, front and rear) | 16C | O / P-65U |
| 2 nd Row Cloth Seats | 88F | O / P-65U |
| Power Passenger Seat (8-way) w/2-way power recline and lumbar) | 87P | 0 |
| Front Console Plate Delete Note: Not available with option: 67H, 67U, 85R | 85D | O / P-65U |
| Rear Center Seat Delete <ul style="list-style-type: none"> Deletes the center section of the 2nd row seat Includes molded trim floor panel in lieu of center seat section | 85S | 0 |
| Rear Console Plate Note: Not available with option: 65U, 85D | 85R | O / P-67H / P-67U |
| Ballistic Door-Panels (Level III+) – Driver Front-Door Only¹ | | |
| Ballistic Door-Panels (Level III+) – Driver & Pass Front-Doors ¹ | 90D | 0 |
| Ballistic Door-Panels (Level IV+) – Driver Front-Door Only ² | 90E | 0 |
| Ballistic Door-Panels (Level IV+) – Driver & Pass Front-Doors ² | 90F | 0 |
| BLIS® – Blind Spot Monitoring with Cross-traffic Alert Note: Includes manual fold-away mirrors, w/heat, w/o memory, w/o puddle lamps | 90G | 0 |
| BLIS® – Blind Spot Monitoring with Cross-traffic Alert Note: Includes manual fold-away mirrors, w/heat, w/o memory, w/o puddle lamps | 55B | 0 |
| Police Perimeter Alert – detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I. Doors will lock and windows will automatically go up at level II. Includes visual display in instrument cluster with tracking. Note: ★ Now enables rearview camera image display in the rear view mirror option (87R) when Rear Camera on Demand (19V) is ordered | 68B | 0 |
| Pre-Collision Assist with Pedestrian Detection (includes Forward Collision Warning and Automatic Emergency Braking) Note: Includes unique one-touch temporary disable switch for Law Enforcement use Note: Not available with option 96W | 76P | 0 |
| Mirrors – Heated Sideview Note: Not required when ordering BLIS® (heated mirror is included with BLIS®) | 549 | 0 |

¹ Tested and meets the requirements of NIJ Standard 0108.01 Level III:

- 7.62 x 51 mm 9.7g M80 (.308 Winchester 150gr)

Per LAPD requirements, they're also designed to withstand special threat rounds:

- 7.62 x 39 mm MSC 7.9g (Type 56)
- 5.56 x 45 mm M193 3.36g
- 5.56 x 45mm M855 4g

² Tested and meets the requirements of NIJ Standard 0108.01 Level IV:

- 30-06 M2 AP 166gr (7.62 x 63 APM2 10.8g)

Also designed to withstand special threat rounds:

- 7.62 x 54R LPS 9.65g
- 7.62 x 51 mm M61 9.75g (.308 Winchester 150.5gr)

In addition, Level IV+ includes all of the NIJ Level III and LAPD rounds listed in footnote 1.

2023 POLICE INTERCEPTOR UTILITY EQUIPMENT GROUP

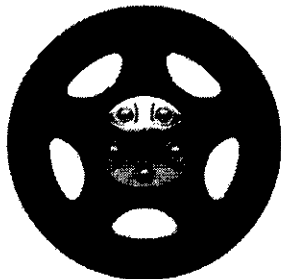
| EQUIPMENT GROUP | | |
|---|-----|-----------|
| Perimeter Anti-Theft Alarm <ul style="list-style-type: none"> Activated by Hood, Door or Liftgate; when unauthorized entry occurs, system will flash the headlamps, parking lamps and sound the horn Requires Keyless-Entry Key Fob (55F) Note: Cannot be ordered with Keyed-Alike options | 593 | 0 |
| Police Engine Idle feature <ul style="list-style-type: none"> This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle. Allows the key to be removed from ignition while vehicle remains idling. | 47A | 0 |
| Reverse Sensing System | 76R | 0 |
| | | |
| Rear Auxiliary Air Conditioning Note: Now available with Cargo Storage Vault (63V). | 17A | 0 |
| Badge Delete <ul style="list-style-type: none"> Deletes the "Police Interceptor" badging on rear liftgate Deletes the "Interceptor" badging on front hood (EcoBoost®) | 16D | 0 |
| Cargo Storage Vault (includes lockable door and compartment light) Note: Now available with Aux Air Conditioning (17A). | 63V | 0 |
| HB AGM Battery (850 CCA/92-amp) | 19K | 0 |
| Low-Band Frequency Noise Suppression Kit <ul style="list-style-type: none"> Recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9) Provides noise suppression for in-car two-way radio communication devices in the 39-46 MHz frequency range Note: Noise Suppression Bonds (60R) do not provide adequate noise suppression in this frequency range | 68E | 0 |
| Noise Suppression Bonds (Ground Straps) Note: Low-Band Frequency Noise Suppression Kit (68E) recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9) | 60R | 0 |
| Rear Bumper Step Pad | 16P | 0 |
| 100 Watt Siren/Speaker (includes bracket and pigtail) | 15X | 0 / P-67H |
| OBD-II Split Connector – Allows up to 2 devices to be connected to the vehicle's OBD-II port | 61B | 0 |

AXLE AVAILABILITY

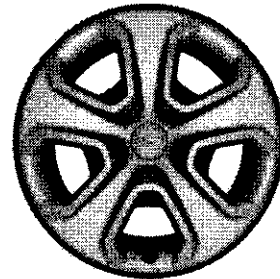
*Final Drive Ratio = 3.73
HEV and 3.3L AWD Police
Interceptor*

*Final Drive Ratio = 3.31
AWD EcoBoost®
Police Interceptor*

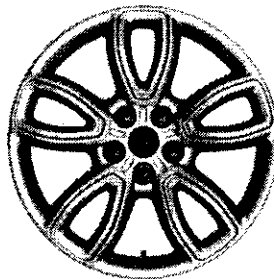
WHEEL AVAILABILITY



18" 5-spoke painted black steel wheels with center caps (5th wheel is full-size spare) – Standard



18" 5-spoke full face wheel covers with metal clips – Optional (65L)



18" painted Aluminum wheels, Optional (64E)

★ = New for this model year

2023 POLICE INTERCEPTOR UTILITY COLOR & TRIM AVAILABILITY

| Police Interceptor Utility | Police Interceptor Utility | Interior Color Charcoal Black |
|---|--|-------------------------------|
| Cloth Front Buckets / Vinyl Rear | Front – Unique Heavy-Duty Cloth, Front Bucket Seats Driver 6-way Power track (fore/aft, up/down, tilt with manual recline, 2-way manual lumbar) Passenger – 2-way manual track (fore/aft, with manual recline) Rear – 35/30/35 Split Vinyl. | 96 |
| Cloth Front Buckets / Cloth Rear | Front – Unique Heavy-Duty Cloth, Front Bucket Seats Driver 6-way Power track (fore/aft, up/down, tilt with manual recline, 2-way manual lumbar) Passenger – 2-way manual track (fore/aft, with manual recline) Rear – 35/30/35 Split Cloth. | F6 |

COLOR OFFERINGS

| EXTERIOR COLOR POLICE | Order Code | Charcoal Black Availability |
|---------------------------------------|------------|--------------------------------|
| Medium Brown Metallic | BU | ■ |
| Arizona Beige Metallic (New for 2022) | E9 | ■ |
| Vermillion Red | E4 | ■ |
| Blue Metallic | FT | ■ |
| Smokestone Metallic | HG | ■ |
| Kodak Brown Metallic | J1 | ■ |
| Dark Toreador Red Metallic | JL | ■ |
| Iconic Silver Metallic | JS | ■ |
| Dark Blue | LK | ■ |
| Royal Blue | LN | ■ |
| Light Blue Metallic | LN | ■ |
| Silver Gray Metallic | TN | ■ |
| Sterling Grey Metallic | UJ | ■ |
| Agate Black | UM | ■ |
| Medium Titanium Metallic | YG | ■ |
| Oxford White | YZ | ■ |
| Carbonized Grey | M7 | ■ |

★ = New for this model year

EMISSIONS

EMISSIONS STANDARD/OPTIONAL EQUIPMENT

50-STATE EMISSIONS SYSTEM 425

Standard equipment in all states

NOTE: Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles equipped with the 3.3L V6 Direct-Injection engine (non-hybrid)

ENGINE BLOCK HEATER 41H

MISCELLANEOUS

COV Required 79V

Priced DORA C09

SNOW PLOW USAGE

Not recommended for snow plowing.

★ = New for this model year

POWERTRAIN

FUEL ECONOMY

| ENGINE DISPL. | TRANSMISSION | 50-STATE | | | |
|---|--------------------|---------------------|---------|----------------------------|---------------------------|
| | | F.E. LABEL ADJUSTED | | ESTIMATED ANNUAL FUEL COST | MEMO: UNADJUSTED COMBINED |
| | | CITY | HIGHWAY | | |
| AWD | | | | | |
| 3.3L V6 Direct-Injection Hybrid Engine System (AWD) | 10-Speed Automatic | TBD | TBD | TBD | TBD |
| 3.3L V6 Direct-Injection FFV (AWD) | 10-Speed Automatic | TBD | TBD | TBD | TBD |
| 3.0L V6 EcoBoost® (AWD) | 10-Speed Automatic | TBD | TBD | TBD | TBD |

ENGINE HORSEPOWER AND TORQUE RATINGS

| ENGINE DISPL. | TRANSMISSION | NOMINAL COMPRESSION RATIO | 50-STATE | |
|---|--------------------|---------------------------|------------|----------------|
| | | | HORSEPOWER | TORQUE |
| | | | H.P. @ RPM | FT. LBS. @ RPM |
| ALL | | | | |
| 3.3L V6 Direct-Injection Hybrid Engine System (AWD) | 10-Speed Automatic | 12.0:1 | 318 | 322 |
| 3.3L V6 Direct-Injection FFV (AWD) | 10-Speed Automatic | 12.0:1 | 285 | 260 |
| 3.0L V6 EcoBoost® (AWD) | 10-Speed Automatic | 9.5:1 | 400 | 415 |

American Rescue Plan Act Funding Overview

SEPTEMBER 6TH, 2022

What is ARPA?

- The American Rescue Plan Act of 2021 was signed into law on March 11, 2021
 - It included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program which delivered \$350 billion to state, local, and tribal governments across the Country.
- Eligible uses of these funds were for:
 - Revenue replacement for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent fiscal year prior to the emergency.
 - COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery.
 - Premium pay for essential workers.
 - Investments in water, sewer, and broadband infrastructure.
- Ineligible use of funding was to offset tax reductions, delay tax increases, or deposit into pension funds.

SLFRF Requirements

- Funding from SLFRF must be spent by the end of calendar year 2024.
- On April 1, 2022 the Department of Treasury released the “Final Rule” which explains in detail what funds are eligible and ineligible for.
- Treasury continually updates their “FAQs” document as well with questions from local governments on eligible use of funding.
 - Most recently updated as of July 27, 2022
- Recipients must report use of funding annually through the Treasury website.
- The Finance Department (in tandem with the County Administrator and County Attorney) is responsible to account for, ensure proper use of, and provide all reporting on SLFRF Funding.

Allocation Plan

| Program/Project | Encumbered | Spent To Date | Balance Remaining |
|---------------------------------|--------------------|------------------|--------------------|
| One-Time Deputy Bonus Pay | \$92,041 | \$92,041 | 0 |
| Chester Gap Staffing Initiative | \$75,126 | \$75,126 | 0 |
| Broadband Project | \$6,900,000 | \$0 | \$6,900,000 |
| | | | |
| Total: | \$7,067,167 | \$167,167 | \$6,900,000 |
| | | | |
| Original Award | \$7,801,386 | | |
| Unallocated | \$734,219 | | |

Moving Forward - Broadband

- They are beginning the first phase of the project with engineering studies.
- Once the project commences, Warren County will provide 20% of it's total commitment to NSVRC to provide working capital to begin the project.
- After, each participating county will make 8 quarterly payments of 10% it's total commitment. Final payment will be due July 1, 2024.
- NSVRC will act as fiscal agent and hold each contribution based on DHCD approval or progress against milestones in each participating county
- Project representatives will make County-specific reports and provide updates to the Board of Supervisors on a semi-annual basis.
- The County will still be responsible for reporting SLFRF fund usage to Treasury.

Remaining Balance

- Currently, just over \$700K remains unencumbered from the original award
- This has been kept for use as identified needs arise.
 - For example, the one-time deputy bonus pay was initiated by the State. Had funding not been available, the County would be forced to identify \$90K in local funding.
- The Finance Department remains updated on ARPA funding uses and will initiate the potential use of funding if an allowable, practical use is discovered.
- Applicable use of funding is ever-changing as Treasury releases more guidance.
- Recommended to limit projects & subrecipients of funding as additional staff resources will be required to provide proper monitoring and reporting.

Other Upcoming Opportunities

- We have received \$85,000 from VTC thru their ARPA Tourism Recovery Program.
 - Departments, Finance, and Administration remain on the lookout for ARPA opportunities
- The Infrastructure Investment and Jobs Act was signed into law November 15, 2021.
 - The White House has published 65 technical assistance resources across the federal government in the following areas:
 - Transportation Programs
 - High-Speed Internet Programs
 - Water Programs
 - Power Grid and Clean Energy Programs
 - Resilience Programs
 - Environmental Remediation Programs
- See [this link](#) for more information