



AGENDA

Board of Supervisors Special Meeting

September 8, 2020

7:00 PM

- A. Call to Order
- B. Agreement with the Front Royal-Warren County Chamber of Commerce for the Use of Federal CARES Coronavirus Relief Funds for Small Businesses – Jason Ham/Ed Daley
- C. Agreement with the Front Royal-Warren County Chamber of Commerce for the Use of Federal CARES Coronavirus Relief Funds for Individual Assistance with Utility Payments – Jason Ham/Ed Daley
- D. Agreement with Town of Front Royal for the Use of Federal CARES Coronavirus Relief Funds – Jason Ham/Ed Daley
- E. Approval of Release of Liability Related to the Town of Front Royal Providing Information Technology (IT) Services – Jason Ham/Ed Daley
- F. 2020 Warren County Board of Supervisors Meeting Policy and Procedures – Jason Ham
- G. Closed Session – Section 2.2-3711(A)(8) of the Virginia Freedom of Information Act Consultation with Legal Counsel re: Town CARES Act Agreement

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WORK SESSION

- A. Introduction of New Director for the Warren County Department of Social Services and Program Overview of the Department – Beth Reavis/Jon Martz
- B. Discussion – Election 2020 Preparations – Carol Tobin/Tim Grant/Assura
- C. Discussion – Election Money Appropriation – Carol Tobin/Ed Daley
- D. Discussion – Ordinance to Amend and Re-Ordain Section 172-2 of the Warren County Code re: Designating Private Roads in the Linden Heights Subdivision as Highways for Law Enforcement Purposes – Caitlin Jordan
- E. Discussion – Broadband Committee and Railroad Taskforce Bylaws
- F. Adjournment



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF 1
September 8, 2020	B	Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and the Front Royal and Warren County Chamber of Commerce (Small Business and Non-Profits)	

EXPLANATION & SUMMARY:

The *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020* (the “Act”) provides funding for a number of different programs to address the COVID-19 pandemic. A primary component is \$150 billion in assistance to state, local, territorial, and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund (CRF). Although the Act allows CRF to be used to assist businesses and nonprofits which have been affected by the pandemic, and to assist individuals who are unable to pay their utility bills as a result of the pandemic, there is no Virginia Code section that authorizes the County to give funds to business or citizens directly (there are exceptions for charities that don’t apply here). However, Code of Virginia 15.2-953 allows the County to give funds to a chamber of commerce for further distribution to others.

At the Board of Supervisors (the “Board”) meetings on August 4th and August 18th, the Board appropriated a total of \$2,065,096 in CRF funds to the Front Royal and Warren County Chamber of Commerce (the “Chamber”) for support for expenses by eligible local small businesses and local non-profit organizations with locations outside of the Town’s corporate limits, which expenses are reimbursable under the CARES Act, and a further \$413,020 was appropriated to the Chamber in order to provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services. Both appropriations were made contingent upon the Chamber signing written agreements specifying and accepting the terms of such appropriations.

The County is responsible for ensuring compliance with the documentation requirements and must also ensure that the use of the funds meets the requirements set forth by the federal government. Both Agreements provide that funds shall not be expended without the approval of the Warren County CARES Act Committee. The County Attorney has drafted two Agreements with the Chamber, one for the funds that are to be distributed to business and nonprofits, and a second for the funds for those in need of assistance with their utility bills.

Prior to its meeting on September 1st, the Board was presented with amendments to both Agreements proposed by the Chamber, and as a result, consideration of the approval of the Agreements was postponed to the special meeting on September 8th to allow time for the proposed amendments to be considered.

COST & FINANCING:

There is no cost to the County.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors of Warren County authorize the execution, delivery and performance of the Agreement with the Chamber of Commerce of Front Royal and Warren County for the use of Federal CARES Act Coronavirus relief funds (the "Business Grant Agreement") and approve a modification to the prior appropriations to the Chamber to allow \$200,000 of the funds to be distributed to the Chamber upon signing the Business Grant Agreement.

SUBMITTED BY: Edwin C. Daley, Interim County Administrator	DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:
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**AGREEMENT WITH THE CHAMBER OF COMMERCE OF FRONT ROYAL
AND WARREN COUNTY FOR THE USE OF FEDERAL CARES
ACT CORONAVIRUS RELIEF FUNDS**

This Agreement with the Chamber of Commerce of Front Royal and Warren County for the use of Federal CARES Act Coronavirus relief funds (the “Agreement”) is made this ___ day of September, 2020 by and between the County of Warren, a political subdivision of the Commonwealth of Virginia, (the “County”) and the Chamber of Commerce of Front Royal and Warren County (the “Chamber”);

WHEREAS, the United States Congress passed, and the President signed the *Coronavirus Aid, Relief and Economic Security (“CARES”) Act of 2020* (the “Act”); and,

WHEREAS, the Act provided funding for a number of different programs to address the COVID-19 pandemic (the “Pandemic”); and,

WHEREAS, a primary component of the Act is the provision of \$150 billion in assistance to state, local, territorial and tribal governments for the direct impact of the Pandemic through the establishment of the Coronavirus Relief Fund (“CRF”); and,

WHEREAS, expenditure of the funds is subject to be used only for qualifying expenses as defined by the Act, the expenditure of the funds will be audited and any funds expended for purposes other than as provided by the Act will have to be repaid and returned to the Commonwealth of Virginia; and,

WHEREAS, Warren County wants to provide assistance to local small businesses that are located outside of the Town of Front Royal but are within Warren County and which have been impacted by the Pandemic, and is authorized to provide funds to the Chamber pursuant to Code of Virginia 15.2-953; and,

WHEREAS, the Chamber exists to promote the interests of local businesses and non-profit organizations in Warren County, and desires to assist the County in the distribution of the Funds (as hereinafter defined) to such local businesses and non-profit organizations;

WHEREAS, the parties hereto wish to specify how the Funds will be distributed, and confirm that the expenditure of the funds from CRF is limited to the uses established in the Act;

NOW THEREFORE THE PARTIES HERETO DO HEREBY AGREE AS FOLLOWS:

- 1) The County will distribute \$200,000 to the Chamber upon signing this Agreement, and the remainder over time and upon receipt by the Chamber of the Documents (as hereinafter defined), for a total sum of \$2,065,096 from the CRF funds distributed to the County (the “Funds”).
- 2) The Chamber shall use the Funds only to provide support for local small businesses and non-profit organizations (i) with locations within Warren County and outside of the Town of Front Royal’s corporate limits, (ii) which have incurred Qualifying Expenses, as defined below, and (iii) which are not delinquent on any tax, fee, or other sum owed to Warren County. Businesses and organizations which satisfy both of the aforementioned requirements are referred to herein as “Eligible Recipients.”
- 3) The Funds may only be provided by the Chamber to reimburse Eligible Recipients for their direct costs associated with their responses to the COVID-19 pandemic as those expenses qualify and as defined and limited by the Act (“Qualifying Expenses”). These are specifically limited to costs that:
 - a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
 - b) were not accounted for in the budget most recently approved as of March 27, 2020 for the County; and,
 - c) were incurred by the Eligible Recipients during the period that begins on March 1, 2020 and ends on December 1, 2020.
- 4) In soliciting and receiving applications from Eligible Recipients and in distributing funds to Eligible Recipients, the Chamber shall follow any guidelines provided by the County as to the distribution of the Funds, including but not limited to (i) the amount of grants to Eligible Recipients, and (ii) the number of employees of an Eligible Recipient in relation to such amounts. Such guidelines are attached hereto as Exhibit A, which may be amended or supplemented at the sole discretion of the Warren County Emergency Coordinator from time to time.
- 5) The Chamber shall follow the timeline for the distribution of the Funds provided in Exhibit B, which may be amended or supplemented at the sole discretion of the

Warren County Emergency Coordinator from time to time. Funds shall not be expended without the approval of the Warren County CARES Act Committee.

- 6) The Chamber shall provide documentation to the County sufficient to prove to the County's satisfaction that such expenditure is reimbursable under the Act, which may include but not be limited to Eligible Recipients' income statements, proof of corporate existence, proof of business residence, proof of payment for the Qualifying Expenses, proof of payment and the amount of payment of 2019 BPOL, a signed statement of the business owner(s) that the business was adversely affected by the Pandemic, copies of the disbursed check to the grantees, and the Warren County CARES Act Committee Application (the "Documents"). The Chamber shall keep, maintain and provide upon request to the County or any other appropriate authority a copy of the Documents.
- 7) Should the Chamber not expend all the Funds on or before December 1, 2020, the Chamber shall promptly return all unexpended funds to the County, and the County may keep any Funds that have not yet been distributed to the Chamber.
- 8) The Chamber will comply with all other applicable laws, United States Treasury guidance, and County requirements.
- 9) Should the appropriate federal or state authorities determine that the Chamber improperly expended the Funds for purposes that do not qualify under the Act the Chamber will cooperate with the County in responding to such a determination.
- 10) The Chamber shall fully comply with all requirements of the Act and fully cooperate with the County, the Commonwealth of Virginia, and the United States of America in the use of the Funds, including any and all audits.
- 11) If Funds are expended without the approval of the Warren County CARES Act Committee, the Chamber shall reimburse the County for any such unauthorized expenditure. If such reimbursement is not provided within ten days of such request, interest at the judgment rate shall be paid by the Chamber to the County.
- 12) In the event that any State or Federal authority asserts that the County owes money as a result of actions of the Chamber in violation of this Agreement, the Chamber waives its right to and agrees not to assert any defense of statute of limitations, laches or any other time-related defense. The parties agree that the remedies

provided in this Agreement are not exclusive, and that the County preserves all causes of action against the Chamber related to the Chamber Distribution. The parties further agree that the Chamber waives the defense of charitable immunity, shall not use such defense in response to any claim by the County, and that the County, with respect to the provisions of this Agreement, is not a beneficiary of the Chamber's charity.

- 13) Any dispute concerning the performance or interpretation of this Agreement must be adjudicated in the General District or Circuit Courts of Warren County, Virginia.
- 14) This Agreement constitutes the entire understanding and agreement among the parties with respect to the matters set forth herein and/or therein and supersedes all prior or contemporaneous understandings or agreements among the parties with respect to the subject matter hereof, whether oral or written.
- 15) If any provision of this Agreement is invalid, illegal or unenforceable, the balance of this Agreement remains in full force and effect. If, however, the provision of the Agreement held invalid, illegal or unenforceable is material to the whole Agreement then the entire Agreement is of no force or effect, unless the parties otherwise unanimously agree in writing.
- 16) This Agreement constitutes a fully negotiated agreement among sophisticated parties, with the assistance of legal counsel, and must not be construed and interpreted for or against any party thereto.

This Agreement with the Chamber of Commerce of Front Royal and Warren County for the use of Federal CARES Act Coronavirus relief funds has been duly authorized and approved by the Chamber of Commerce of Front Royal and Warren County and the Board of Supervisors of Warren County and the President of the Chamber and the Chairman of the Board are authorized to execute the same.

WITNESS the following signatures:

Nicole Foster, President
Chamber of Commerce of Front Royal
And Warren County

Walter Mabe, Chairman
Board of Supervisors of
Warren County, Virginia

Warren County Potential Distribution of Approx \$2M to Small Businesses and Non-Profits for Economic Recovery (CARES ACT)**
(August 28, 2020 v8 - Final Round CRF)

Revenue Tier	# Businesses	% of Businesses in Tier Based on BPOL	Adjusted # Businesses	Adjusted % of Businesses in Tier Based on BPOL	Assistance per Applicant	Adjusted County Allocation \$'s	# of Businesses / Non-Profits Able to be Served by Allocation & Assistance	Actual # of Businesses / Non-Profits Able to be Served by Allocation & Assistance	Remaining Balance by Revenue Tier after the close of the application period (September 22, 2020)
<\$15080	284	31%	0	0	0	0	0	0	0
\$15,080.00 - \$50,000	202	22%	202	34%	\$5,000.00	\$702,133.00	140	TBD	TBD
\$50,000.01 - \$200,000	202	22%	202	34%	\$10,000.00	\$702,133.00	70	TBD	TBD
\$200,000.01 - \$500,000	96	11%	96	16%	\$20,000.00	\$330,415.00	16	TBD	TBD
\$500,000.01 - \$2,000,000	98	11%	98	16%	\$40,000.00	\$330,415.00	8	TBD	TBD
\$2,000,000 +	30	3%	0	0	0	0	0	0	0
	912	100%	598	100%	N/A	\$2,065,096.00	234	TBD	TBD

**Notes:

1. 1st Round allocation \$1,063,798 + 2nd Round allocation \$1,001,298 = Final allocation \$2,065,096.
2. All grants are limited to available funds: some applicants may not receive funding.
3. The amount of assistance per applicant is doubled from the 1st Round distribution figures (i.e., \$2,500 to \$5,000, \$5,000 to \$10,000, etc.)
4. Goal is to distribute approximately 95% to eligible local small businesses and 5% to eligible local non-profits.
5. The same Revenue Tiers will be applied to eligible local non-profit assistance.

EXHIBIT A

8/28/2020 11:10 AM

EXHIBIT B

COUNTY OF WARREN



Department of Fire & Rescue Services

200 Skyline Vista Drive, Suite 200

Front Royal, Virginia 22630

Phone: (540) 636-3830

Fax: (540) 636-9986

Email: rfarrall@warrencountyfire.com

Rick Farrall

Cost Recovery Manager

Deputy Emergency Manager

BOARD OF SUPERVISORS

CHAIRMAN

Walter J. Mabe
Shenandoah District

VICE CHAIR

Cheryl L. Cullers
South River District

Tony F. Carter

Happy Creek District


Archie A. Fox

Fork District

Delores R. Oates

North River District

Douglas P. Stanley
County Administrator

TO: Warren County Board of Supervisors (BOS)
FROM: Rick Farrall, Deputy Emergency Manager 
DATE: June 9, 2020 (19:00 Work Session, W.C. Government Center)
SUBJECT: CARES ACT "Equitable Distribution" (Allocation) Recommended Timeline

Regarding the "equitable distribution" (allocation) of CARES ACT funds, the following timeline is recommended (pending approval of associated below Agenda Item):

June 16, 2020: BOS approve Subject: Equitable Distribution (Allocation) of Coronavirus Relief Fund Payments between Warren County and the Town of Front Royal, Virginia

June 17, 2020: disseminate approved Agenda Item and associated Timeline to Warren County Administrator and the Front Royal Town Manager

July 24, 2020: NLT proposals due from the County and Town to the County Administrator; County retains auditor to conduct CARES ACT funds audit (see below)

August 7, 2020: NLT proposal review complete and recommendation to internally fund proposed projects returned to County and Town for action (by County Administrator)

September 11, 2020: NLT for the County and Town to distribute project funds

October 16, 2020: NLT substantiating documentation due to the County Administrator in accordance with section 601(d) of the Social Security Act outlined in the CARES ACT

November 6, 2020: NLT to review substantiating documentation for BOS approval

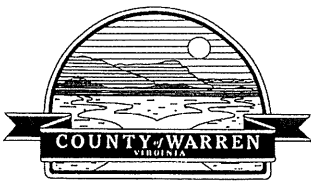
November 20, 2020: NLT transfer CARES ACT funds to County and Town as appropriate

December 4, 2020: NLT provide auditor substantiating documents for related expenses

December 30, 2020: end of CARES ACT qualifying expense period (began March 1, 2020)

January 22, 2021: NLT for internally funded CARES ACT fund audit to be complete

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



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF 1
September 8, 2020	C	Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and the Front Royal and Warren County Chamber of Commerce (Individual Utility Grants)	

EXPLANATION & SUMMARY:

The *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020* (the “Act”) provides funding for a number of different programs to address the COVID-19 pandemic. A primary component is \$150 billion in assistance to state, local, territorial, and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund (CRF). Although the Act allows CRF to be used to assist businesses and nonprofits which have been affected by the pandemic, and to assist individuals who are unable to pay their utility bills as a result of the pandemic, there is no Virginia Code section that authorizes the County to give funds to business or citizens directly (there are exceptions for charities that don’t apply here). However, Code of Virginia 15.2-953 allows the County to give funds to a chamber of commerce for further distribution to others.

At the Board of Supervisors (the “Board”) meetings on August 4th and August 18th, the Board appropriated a total of \$2,065,096 in CRF funds to the Front Royal and Warren County Chamber of Commerce (the “Chamber”) for support for expenses by eligible local small businesses and local non-profit organizations with locations outside of the Town’s corporate limits, which expenses are reimbursable under the CARES Act, and a further \$413,020 was appropriated to the Chamber in order to provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services. Both appropriations were made contingent upon the Chamber signing written agreements specifying and accepting the terms of such appropriations.

The County is responsible for ensuring compliance with the documentation requirements and must also ensure that the use of the funds meets the requirements set forth by the federal government. Both Agreements provide that funds shall not be expended without the approval of the Warren County CARES Act Committee. The County Attorney has drafted two Agreements with the Chamber, one for the funds that are to be distributed to business and nonprofits, and a second for the funds for those in need of assistance with their utility bills.

Prior to its meeting on September 1st, the Board was presented with amendments to both Agreements proposed by the Chamber, and as a result, consideration of the approval of the Agreements was postponed to the special meeting on September 8th to allow time for the proposed amendments to be considered.

COST & FINANCING:

There is no cost to the County.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors of Warren County authorize the execution, delivery and performance of the Agreement with the Chamber of Commerce of Front Royal and Warren County for the use of Federal CARES Act Coronavirus relief funds in order to provide utility funds to those in need and whom have been affected by the pandemic (the "Utilities Grant Agreement") and approve a modification to the prior appropriations to the Chamber to allow \$50,000 of the funds to be distributed to the Chamber upon signing the Utilities Grant Agreement.

SUBMITTED BY:

Edwin C. Daley,
Interim County
Administrator

DISPOSITION OF BOARD: APPROVED OTHER (DESCRIBE)

**PROCESSED
BY:**

**AGREEMENT WITH THE CHAMBER OF COMMERCE OF FRONT ROYAL AND
WARREN COUNTY FOR THE USE OF FEDERAL CARES ACT CORONAVIRUS
RELIEF FUNDS IN ORDER TO PROVIDE UTILITY FUNDS TO THOSE IN NEED
AND WHOM HAVE BEEN AFFECTED BY THE PANDEMIC**

This Agreement with the Chamber of Commerce of Front Royal and Warren County for the use of Federal CARES Act Coronavirus relief funds in order to provide utility funds to those in need and whom have been affected by the pandemic (the “Agreement”) is made this ___ day of _____, 2020 by and between the County of Warren, a political subdivision of the Commonwealth of Virginia, (the “County”) and the Chamber of Commerce of Front Royal and Warren County (the “Chamber”);

WHEREAS, the United States Congress passed, and the President signed the *Coronavirus Aid, Relief and Economic Security (“CARES”) Act of 2020* (the “Act”); and,

WHEREAS, the Act provided funding for a number of different programs to address the COVID-19 pandemic (the “Pandemic”); and,

WHEREAS, a primary component of the Act is the provision of \$150 billion in assistance to state, local, territorial and tribal governments for the direct impact of the Pandemic through the establishment of the Coronavirus Relief Fund (“CRF”); and,

WHEREAS, expenditure of the funds is subject to be used only for qualifying expenses as defined by the Act, the expenditure of the funds will be audited and any funds expended for purposes other than as provided by the Act will have to be repaid and returned to the Commonwealth of Virginia; and,

WHEREAS, Warren County wants to provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services, and is authorized to provide funds to the Chamber pursuant to Code of Virginia 15.2-953; and,

WHEREAS, in addition to promoting the interests of local businesses in Warren County, which interest will be served by helping individuals in this circumstance, the Chamber is interested in promoting a vibrant community in Warren County, and desires to assist the County in the distribution of the Funds (as hereinafter defined) to such individuals;

WHEREAS, the parties hereto wish to specify how the Funds will be distributed, and confirm that the expenditure of the funds from CRF is limited to the uses established in the Act;

NOW THEREFORE THE PARTIES HERETO DO HEREBY AGREE AS FOLLOWS:

- 1) The County will distribute \$50,000 to the Chamber upon signing this Agreement, and the remainder over time and upon receipt by the Chamber of the Documents (as hereinafter defined), for a total sum of \$413,020 from the CRF funds distributed to the County (the “Funds”).
- 2) The Chamber shall use the Funds only to provide grants to individuals (i) facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services and who (ii) reside within Warren County and outside of the Town of Front Royal’s corporate limits. Individuals which satisfy the aforementioned requirements are referred to herein as “Eligible Recipients.”
- 3) The Funds may be used for subsidy payments to electricity, water, sewer, gas and propane account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance (“Qualifying Expenses”). These are specifically limited to costs that:
 - a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
 - b) were not accounted for in the budget most recently approved as of March 27, 2020 for the County; and,
 - c) were incurred by the Eligible Recipients during the period that begins on March 1, 2020 and ends on December 1, 2020.
- 4) In soliciting and receiving applications from Eligible Recipients and in distributing funds to Eligible Recipients, the Chamber shall follow any guidelines provided by the County as to the distribution of the Funds, which may be amended or supplemented at the sole discretion of the Warren County Emergency Coordinator

from time to time. Funds shall not be expended without the approval of the Warren County CARES Act Committee

- 5) The Chamber shall provide documentation to the County sufficient to prove to the County's satisfaction that such expenditure is reimbursable under the Act, which may include but not be limited to Eligible Recipients' income statements, proof of residence, and a signed statement of the recipient that he or she was adversely affected by the Pandemic, copies of the disbursed check to the grantees, and the Warren County CARES Act Committee Application (the "Documents"). The Chamber shall keep, maintain and provide upon request to the County or any other appropriate authority a copy of the Documents.
- 6) Should the Chamber not expend all the Funds on or before December 1, 2020, the Chamber shall promptly return all unexpended funds to the County, and the County may keep any Funds that have not yet been distributed to the Chamber.
- 7) The Chamber will comply with all other applicable laws, United States Treasury guidance, and County requirements.
- 8) Should the appropriate federal or state authorities determine that the Chamber improperly expended the Funds for purposes that do not qualify under the Act the Chamber will cooperate with the County in responding to such a determination.
- 9) The Chamber shall fully comply with all requirements of the Act and fully cooperate with the County, the Commonwealth of Virginia, and the United States of America in the use of the Funds, including any and all audits.
- 10) If Funds are expended without the approval of the Warren County CARES Act Committee, the Chamber shall reimburse the County within ten days of request from the County for any such unauthorized expenditure. If such reimbursement is not provided within ten days of such request, interest at the judgment rate shall be paid by the Chamber to the County.
- 11) In the event that any State or Federal authority asserts that the County owes money as a result of actions of the Chamber in violation of this Agreement, the Chamber waives its right to and agrees not to assert any defense of statute of limitations, latches or any other time-related defense. The parties agree that the remedies provided in this Agreement are not exclusive, and that the County preserves all

causes of action against the Chamber related to the Chamber Distribution. The parties further agree that the Chamber waives the defense of charitable immunity, shall not use such defense in response to any claim by the County, and that the County, with respect to the provisions of this Agreement, is not a beneficiary of the Chamber's charity.

- 12) Any dispute concerning the performance or interpretation of this Agreement must be adjudicated in the General District or Circuit Courts of Warren County, Virginia.
- 13) This Agreement constitutes the entire understanding and agreement among the parties with respect to the matters set forth herein and/or therein and supersedes all prior or contemporaneous understandings or agreements among the parties with respect to the subject matter hereof, whether oral or written.
- 14) If any provision of this Agreement is invalid, illegal or unenforceable, the balance of this Agreement remains in full force and effect. If, however, the provision of the Agreement held invalid, illegal or unenforceable is material to the whole Agreement then the entire Agreement is of no force or effect, unless the parties otherwise unanimously agree in writing.
- 15) This Agreement constitutes a fully negotiated agreement among sophisticated parties, with the assistance of legal counsel, and must not be construed and interpreted for or against any party thereto.

This Agreement with the Chamber of Commerce of Front Royal and Warren County for the use of Federal CARES Act Coronavirus relief funds in order to provide utility funds to those in need and whom have been affected by the pandemic has been duly authorized and approved by the Chamber of Commerce of Front Royal and Warren County and the Board of Supervisors of Warren County and the President of the Chamber and the Chairman of the Board are authorized to execute the same.

WITNESS the following signatures:

Nicole Foster, President
Chamber of Commerce of Front Royal
And Warren County

Walter Mabe, Chairman
Board of Supervisors of
Warren County, Virginia



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE September 8, 2020	ITEM D	SUBJECT: Agreement for the Use of Federal CARES Coronavirus Relief Funds between the County of Warren and the Town of Front Royal	PAGE 1 OF 1
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EXPLANATION & SUMMARY:

The *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020* (the “Act”) provides funding for a number of different programs to address the COVID-19 pandemic. A primary component is \$150 billion in assistance to state, local, territorial, and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund (CRF). Warren County (the “County”) must ensure that an equitable share of the CRF funds it receives are shared with and granted to the Town of Front Royal (the “Town”). Just as with the funds retained by the County, the funds granted to the Town must be spent in accordance with the same requirements and the same documentation must be retained for audit purposes. The County is responsible for ensuring compliance with the documentation requirements and must also ensure that the use of the funds meets the requirements set forth by the federal government. If the Town does not do so, the County may have to pay the CRF back. Therefore, the County Attorney has drafted an Agreement with the Town that provides that the Town will reimburse the County if the Town violates the Act with respect to distribution of the funds, among other provisions.

The Town will receive \$2,478,116 as its total and final equitable distribution of CARES Coronavirus Relief Funds from the County. The appropriation of such funds to the Town was contingent upon the Town signing a written agreement specifying and accepting the terms of such appropriation. The Agreement for the Use of CARES Act Funds (the “Agreement”) has been reviewed by Town staff. Town staff requested certain changes, some of which were made by the County Attorney. Town staff have indicated that the Town wants to be provided all funds upon signing the Agreement without first providing documentation indicating how funds will be spent, would like until December 30 to spend funds, and have other requested changes to the Agreement. County and Town staff, as of the date of this agenda summary, have been unable to come to a final agreement, and the draft agreement in your package has not been accepted by the Town.

At its meeting on September 1st, the Board was presented with amendments to the Agreement proposed by the Town, and as a result, consideration of the approval of the Agreement was postponed to the special meeting on September 8th to allow time for the proposed amendments to be considered.

COST & FINANCING:

There is no cost to the County.

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors of Warren County authorize the execution, delivery and performance of the Agreement for the Use of CARES Act Funds between the County of Warren and the Town of Front Royal, Virginia.

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

This Release of Liability is made by and between the County of Warren, Virginia (the “County”) and the Town of Front Royal, Virginia, (the “Town”) on the ____ day of September, 2020.

WHEREAS the Town will be providing Information Technology support to the County for the purpose of facilitating the transfer of CARES Act Relief Funds.

WHEREAS the Town wishes to shield itself from any potential liability arising from its provision of such Information Technology support to the County.

NOW, THEREFORE, the parties agree as follows:

The County hereby releases the Town of all liability for any damages arising from any potential negligent acts in the Town’s provision of Information Technology support to the County in the process of facilitating the transfer of CARES Act Relief Funds.

In exchange for this Release of Liability, the Town agrees to provide Information Technology support to the County for the purpose of facilitating the transfer of CARES Act Relief Funds.

THE COUNTY OF WARREN, VIRGINIA

THE TOWN OF FRONT ROYAL, VIRGINIA

By: _____

By: _____

Its: _____

Its: _____

Attest:

Attest:

Tina Presley, Clerk of Town Council

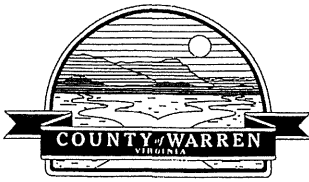
Edwin C. Daley, Interim Clerk of the Board

Approved as to Form:

Approved as to Form:

Douglas W. Napier, Town Attorney

Jason J. Ham, County Attorney



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:	PAGE 1 OF
September 8, 2020	X F	Board of Supervisors <i>Meeting Policy and Procedures Amendment</i>	

EXPLANATION & SUMMARY:

Attached is a copy of the Board's Meeting Policy and Procedures document as adopted on January 21, 2020. Also attached is a copy of the document with redlined proposed changes from Jason Ham, Interim County Attorney. The following sections are proposed to be amended:

- Section 1-9: Remote Participation in Board Meetings
- Section 3-1: Order of Business
- Sections 5-6 and 5-7 regarding the Public Comment Period

COST & FINANCING: N/A

PROPOSED OR SUGGESTED MOTION:

I move that the Board of Supervisors adopt the Meeting Policy and Procedures as amended.

OR

I move that the Board postpone discussion on this matter until _____.

SUBMITTED BY: Jason J. Ham, Interim County Attorney	DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:
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COUNTY OF WARREN, VIRGINIA

MEETING POLICY AND PROCEDURES
(Adopted January 21, 2020, Amended September 8, 2020)

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SECTION 1 – MEETINGS

Section 1-1: When and Where Regular Meetings are Held

The time of regular meetings of the Board of Supervisors shall be established at each annual meeting which shall be held in the Board Room, Warren County Government Center, on the first Tuesday in January of each year at 9:00 a.m. Subsequent regular meetings shall be called as follows:

First Tuesday at 9:00 a.m. on the first Tuesday of each month, and on the third Tuesday at 7:00 p.m. of each month with the following exceptions:

- July – No Regular Meeting held on first Tuesday
- November – First Meeting held on the Wednesday following Election Day (if applicable)
- December – The only Meeting will be held on the second Tuesday at 9:00 a.m., EST

Should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended.

If the Chairman, or the Vice Chairman if the Chairman is unable to act, in consultation with the County Administrator, finds and declares that weather or other conditions are such that it is hazardous for board members to attend a regularly scheduled meeting, the meeting shall be rescheduled to an agreed upon time. If the meeting is an evening public hearing, it shall be rescheduled for the following Tuesday at 7:00 p.m. Such finding shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required.

Section 1-2: Adjourned and Special Meetings

The Board of Supervisors may hold such adjourned meetings, special meetings, or work sessions, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time as it may find convenient and/or necessary. If a special meeting of the Board of Supervisors should be deemed necessary, it shall be called pursuant to Section 15.2-1417 and 15.2-1418 of the Code of Virginia, as amended.

Section 1-3: Annual Meetings

The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting.

Section 1-4: Quorum and Method of Voting

At any meeting a majority of the supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a vote of a majority of the supervisors voting on any such question, unless otherwise provided by law. The name of each member voting and how he or she voted must be recorded. The Board of Supervisors has elected not to have a tie breaker as provided for by the Code of Virginia, and a tie vote on any motion shall be considered defeated as provided for in Section 15.2-1420. When a motion is made for a resolution to approve an application or request for a rezoning, special use permit, or other matter before the board the failure of such motion shall be deemed equivalent to the adoption of a resolution to deny the application, request or other pending matter, and no further resolution to deny need be entertained.

Section 1-5: Procedure for Roll Call for Board Members

The Members of the Board of Supervisors shall cast votes in order on a rotating basis (one end of the dais or the other) determined by the Deputy Clerk or Clerk.

Section 1-6: Members Absenting Themselves from Meeting Prior to Adjournment

After the name of any member of the Board has been recorded as present at any meeting of the Board, the member shall not leave the meeting prior to adjournment unless by consent of the Board.

Section 1-7: Board to Sit with Open Doors

The Board of Supervisors shall sit with open or unlocked doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as provided in the Virginia Freedom of Information Act.

Section 1-8: Closed Meetings

A closed meeting shall be held when necessary.

Section 1-9: Remote Participation in Board Meetings

Members of the Board are hereby approved to participate in a meeting of the Board through electronic communications from a remote location that is not open to the public as provided in Code of Virginia § 2.2-3708.2, subject to the following requirements:

- (1) A supervisor wishing to participate from a remote location in a meeting of the Board shall notify the Board Chair on or before the date of a meeting that the supervisor is unable to attend the meeting due to (i) a personal matter, provided that the supervisor identifies with specificity the nature of the personal matter; or (ii) a temporary or permanent disability or other medical condition that prevents the supervisor's physical attendance.
- (2) The Board shall record in its minutes the remote location from which the absent supervisor participated, as well as the specific nature of the personal matter and that the supervisor participated in the meeting remotely due to a medical condition or disability.
- (3) If the absent supervisor's remote participation would violate this policy, such remote participation is disapproved and the absent supervisor shall not be allowed to participate. The reason for such disapproval shall be recorded in the Board's minutes.
- ~~(3)~~(4) Participation in a meeting through electronic communication due to a personal matter shall be limited, for each supervisor and in each calendar year, to two meetings of the Board.
- ~~(4)~~(5) A quorum of the Board must be physically assembled at the primary or central meeting location.
- ~~(5)~~(6) The Board shall make arrangements for the voice of the absent supervisor to be heard by all persons in attendance at the primary or central meeting location.

SECTION 2 – OFFICERS

Section 2-1: Election and Term of Chairman and Vice Chairman

At the annual meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice Chairman, each of whom shall serve for a term of one year expiring on December 31, or until their respective successors have been elected. In the case of the absence from any meeting of the Chairman and Vice Chairman, the members present shall choose one of their number as temporary Chairman.

Section 2-2: Chair May Administer Oaths

The Chairman shall have power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

Section 2-3: Clerk

The Clerk of the Board shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law, the Warren County Code, or delegated by the Board of Supervisors.

Section 2-4: Parliamentarian

The County Attorney shall serve as the Parliamentarian.

Section 2-5: Preservation of Order

At meetings of the Board, the presiding officer shall preserve order and decorum.

SECTION 3 - CONDUCT OF BUSINESS

Section 3-1: Order of Business

At regular meetings of the Board held on the first Tuesday of each month at 9:00 a.m., the order of business shall be as follows, unless the Board by unanimous consent or by a resolution adopted at a prior meeting agrees to a modification:

- (A) Call to Order and Pledge of Allegiance
- (B) Adoption of Agenda – Additions or Deletions
- (C) ~~Agenda~~-Public ~~Presentations~~-Comment Period (~~6045~~-minute time limit)
- (D) Reports – Board Members, County Administrator, County Attorney
- (E) Approval of Minutes
- (F) Unfinished Business
- (G) Consent Agenda
- (H) Public Hearings (9:30 a.m. – If needed)
- ~~(I)~~—New Business
- ~~(J)~~(I) ~~Public Comments (15 minute time limit)~~
- ~~(K)~~(J) Closed Meeting (If needed)

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- ~~(L)~~(K) _____ Additional New Business (If needed)
- ~~(M)~~(L) _____ Adjournment
- ~~(N)~~(M) _____ Work Session

At regular meetings of the Board held on the third Tuesday of each month at 7 p.m., the order of business shall be as follows, unless the Board by unanimous consent or by a resolution adopted at a prior meeting agrees to a modification:

- (A) Call to Order and Pledge of Allegiance
- (B) Adoption of Agenda – Additions or Deletions
- (C) ~~Agenda~~ Public ~~Presentations~~ Comment Period (~~60~~45-minute time limit)
- (D) Reports – Board Members, County Administrator, County Attorney
- (E) Approval of Minutes
- (F) Approval of Appropriations and Transfers
- (G) Approval of Accounts
- (H) Unfinished Business
- (I) Consent Agenda
- (J) Public Hearings (7:30 p.m.)
- ~~(K)~~ New Business
- ~~(L)~~(K) _____ ~~Public Comments (15 minute time limit)~~
- ~~(M)~~(L) _____ Closed Meeting (If needed)
- ~~(N)~~(M) _____ Additional New Business (If needed)
- ~~(O)~~(N) _____ Adjournment

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Section 3-2: Adoption of Agenda

The agenda shall be adopted by a majority vote of the Board. Items may be added to the agenda by a unanimous vote of the Board members present. Items may be deleted at any time by the sponsor or by majority vote of the Board members present. The County Administrator or his designee shall prepare a memorandum which will inform other members of the Board of the particulars pertaining to this item.

Section 3-3: Consent Agenda

The Consent Calendar shall be introduced by a motion “To approve the Consent Agenda” and shall be considered by the Board as a single item. On objection by any member of the

Board of Supervisors to the inclusion of any item on the Consent Agenda, that item shall be removed from the Consent Agenda forthwith. Such objection may be recorded at any time prior to voting on the motion to approve the Consent Agenda. All such items shall be considered individually, in the order in which they were removed, immediately following consideration and adoption of the Consent Agenda. Notwithstanding, a Board member may ask for discussion of one or more items of the Consent Agenda without removal of that item from the Consent Agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution, ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

Section 3-4: Manner of Addressing Board Generally

- (1) All comments will be directed to the Board of Supervisors and not to the audience.
- (2) Be considerate of your fellow speakers. There should be no applause, booing or other audible disruption to the proceedings. Through a show of hands, the Chairman may ask for a show of support for comments made by speakers.
- (3) Placards, posters and other means of visual display of comments will not be permitted in the Board meeting room. This does not include information or materials used as part of a factual presentation to the Board at the hearing.
- (4) The Board will **not** tolerate personal attacks by anyone on **any** of the participants in the proceedings.
- (5) Anyone who violates the guidelines of the public hearing may be asked to leave by the Chairman.
- (6) Failure to leave the public hearing when asked to do so, because of violations of the guidelines of the public hearing, is in violation of Section 56-4 of Warren County Code and Section 18.2-415 of the Code of Virginia and is subject to a fine of up to \$2,500 and a jail sentence of up to 12 months, either or both.

Section 3-5: Use of Offensive Language or Gestures; Sectarian or Political Discussion

No member of the Board shall in debate at any meeting of the Board use any language or gesture calculated to offend or insult another member. No discussion of a sectarian or partisan character shall be allowed at meetings of the Board.

Section 3-6: Priority in Speaking to Board

When two or more members of the Board wish to speak at the same time, the Chairman shall identify the member to speak.

Section 3-7: Speaking More than Once on Same Subject

In any debate before the Board, no member of the Board shall speak more than once on the same question until all the others have spoken who desire to do so, nor more than twice on the same question, unless by consent of the Board.

Section 3-8: Form of Petitions, etc.

Every petition, communication, or address to the Board shall be in respectful language and, except in cases where it is otherwise allowed, shall be in writing.

Section 3-9: Motions

No proposition shall be entertained by the Chairman until a motion for the same has been duly made and seconded, except that matters appearing on the agenda may be discussed during presentation of that matter without a motion having first been made. The Chairman may make a motion without vacating the Chair.

Section 3-10: Decision on Points of Order

The Chairman, when presiding at a meeting of the Board, without vacating the Chair, may give reasons for any decision made by the Chair on any point of order, and such decision shall be made without debate.

Section 3-11: Same; Appeal to Board

Any member of the Board may appeal to the Board from the decision of the Chairman on any question of order, a majority vote of those present being necessary to over-rule the Chairman.

Section 3-12: Motion to Adjourn

At a meeting of the Board, a motion to adjourn shall be always in order and shall be decided without debate.

Section 3-13: Motions While a Question is Under Debate

When a question is under debate at a meeting of the Board, no motion shall be received unless it be one to amend, to commit or refer to a committee, to postpone, to ask for the

previous question, to make a substitute motion, to lay on the table, to recess, or to adjourn.

Section 3-14: Reconsideration of Motions, etc., Upon Which Vote Has Been Announced

At any meeting of the Board, when any vote upon any motion, resolution, ordinance, or question has been announced, it may be reconsidered once per calendar year on the motion of any member who voted with the prevailing side. Such motion shall be decided by a majority of the votes of the members present, unless a greater number of votes was required to pass the measure, in which event the motion to reconsider shall not prevail, except upon the vote of as great a number of members as was required to pass the measure. A motion by a member of the non-prevailing side will not be considered for a period of one year from the original vote. For the purpose of this Section, "session" shall include any adjourned or special meeting occurring prior to the next Regular Meeting.

Section 3-15: Suspending Rules

The rules of the Board may be suspended with the unanimous concurrence of the members present.

SECTION 4 - PUBLIC HEARINGS

Section 4-1: Speakers

At every public hearing, individuals who wish to speak should register using a sheet made available by the Deputy Clerk prior to the opening of the public hearing. The signup sheet shall contain columns for speaker's name, address, and telephone number.

The order of business for public hearings shall be:

- (1) The Chairman shall request that the appropriate County staff member generally describe the subject of the public hearing. Upon the conclusion of the introduction, the Chairman shall officially open the public hearing.
- (2) Any applicant shall then be allowed a period of time to present detailed information about the issue or application. The time allotted for this presentation shall be determined by the Chairman. If any member of the Board disagrees with the amount of time allotted, they can appeal the decision to the Board pursuant to Section 3-11.
- (3) At the conclusion of the applicant's presentation, the members of the Board shall be allowed to ask questions of the applicant and staff so as to clarify anything that has been presented.

- (4) When no further questions are needed, the public shall be invited to speak.
- (5) Speakers shall be heard in the order in which they registered to do so.
- (6) The Chairman shall ask the Deputy Clerk if anyone has signed up to speak and the Deputy Clerk will call the names of registrants until all have spoken.
- (7) Additional individuals may register to speak until the conclusion of the hearing.
- (8) Speakers should come to the podium to speak. Speakers are requested to speak into the microphone; giving their name and address before addressing the issue of the hearing.
- (9) Speakers are requested to keep comments short and avoid repetition of what other speakers have said. The Chairman may establish a time limit for each speaker. If any member of the Board disagrees with the amount of time allotted, they can appeal the decision to the Board pursuant to Section 3-11.
- (10) Individuals representing a group, recognized by the Chairman, shall be given up to 10 minutes to speak.
- (11) Each individual may speak once at the hearing.
- (12) When all speakers who register to speak have spoken, the floor will be opened to anyone who has not registered.
- (13) After everyone wishing to speak has done so, the applicant will be granted a period of time to respond to what has been said by the public. The applicant will use this time only to address what has been said to this point.
- (14) If, at any time during these proceedings, any member of the public has a question, it may be written and presented to the Board Deputy Clerk. When the applicant has completed the final presentation, the Chairman will read the questions and request a response from the appropriate party.
- (15) The Board will accept comments in writing until the close of the public hearing.
- (16) The Chairman, by approval of the Board, has the authority to vary the guidelines as may be necessary.

Section 4-2: Members' Participation

Board members shall limit their comments in public hearings to ensure participation by the public without Board interference.

Section 4-3: Close of Hearing

When a public hearing shall have been closed by the order of the Chairman of the Board, no further public comments are in order.

SECTION 5 - AGENDA

Section 5-1: Preparation

The Clerk shall prepare an Agenda for each regular meeting conforming to the order of business specified in Section 3-1. Except as permitted at the discretion of the Clerk, every item to be placed on the Agenda shall be received in the Office of the County Administrator before 1:00 p.m. on the Tuesday one week prior to any regular meeting of the Board. Prior to publication of the agenda, the Clerk shall coordinate recommended agenda subjects for approval with the Chairman, or with the Vice Chairman in the Chairman's absence.

Section 5-2: Delivery

The agenda shall be received by each member of the Board and the Attorney to the Board at least 48 hours prior to the meeting.

Section 5-3: Posting

A copy of the Agenda shall be posted on the bulletin board at the Warren County Government Center and the County's website at least 48 hours prior to the meeting.

Section 5-4: Copies

The Clerk to the Board shall prepare or cause to be prepared extra copies of the Agenda and shall make the same available to the public in the Office of the County Administrator at the same time the Agenda is posted pursuant to Section 5-3. The Clerk shall also have a public copy available at each meeting.

Section 5-5: Request to Appear Before the Board of Supervisors

Any Board member, and any staff member upon approval of the County Administrator, may request that an item be placed on the Board's meeting agenda within the time period specified in Section 5-1. Any citizen (individual, firm, association, or corporation) desiring to appear before the Board of Supervisors shall make a request to the Clerk or the Clerk's designee in accordance with and within the time period specified in Section 5-1 and receive approval from the Clerk or a member of the Board of Supervisors;

however, no approval shall be required in order to speak to the Board during the Public Comment period or at a Public Hearing. Any item meeting the requirements of this policy shall be placed on the agenda.

Section 5-6: Agenda Public Presentations Comment Period

~~During the Agenda Public Presentations Comment Period (the "Period"), speakers wishing to address the Board shall clearly state their name and address. Speakers may only address matters related to items that are on the agenda for the meeting at which they wish to speak. The Period shall be limited to forty five minutes; such time shall be divided equally among the number of speakers who have signed up, with a maximum of five minutes for any one speaker. Any time left over during the Period will be offered to any member of the audience wishing to speak in the order chosen by the Chairman with a five minute maximum per speaker.~~

~~Section 5-7: Public Comment Period~~

~~During the Public Comment period, speakers wishing to address the Board shall clearly state their name and address. The Public Comment period shall be limited to sixtyfifteen minutes; ~~such time shall be divided equally among the number of speakers who have signed up~~, with a maximum of threefive minutes for any one speaker. Speakers may only speak once. Speakers will be heard in the order in which they have signed up. If there is time remaining it will be offered to persons in the audience in the order determined by the Chairman. ~~Any time left over during the Public Comment period will be offered to any member of the audience wishing to speak in the order chosen by the Chairman with a five minute maximum per speaker.~~~~

SECTION 6 - GENERAL CONDUCT AND DECORUM

Section 6-1: Conduct of Public

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. The soliciting of funds, the use of abusive or profane language, personal attacks on Board members, the failure to comply with time limits on speakers, or other forms of offensive conduct will not be tolerated. The Chairman will maintain proper order at all times during all meetings of the Board and shall effect the removal from any meeting of any person guilty of offensive conduct if the offending party fails or refuses to cease such conduct.

Section 6-2: Board Responsibilities

The Board of Supervisors is directly responsible for establishing the policies, ordinances, and regulations of the County, overseeing the implementation of policy by the County Administrator, and ensuring that implementation is consistent with the spirit and intent of the Board's actions. In the event that an action or actions may be necessary without the ready consensus of the Board, the Chairman shall have the discretion to authorize the County Administrator to take interim measures until the Board can meet and make any necessary decision.

The Board of Supervisors bears the responsibility for successful operation of County government and its functions. Each supervisor is responsible for knowing Board policy and its intent.

The County Administrator is employed by the Board to supervise the execution of County policy, ordinances, regulations, and Board directives, and to appoint officers and employees of the County, as authorized by the Code of Virginia, or otherwise as the Board may determine.

Section 6-3: Appointments to Regional Boards, Commissions, and Similar Bodies

Appointments to regional boards and commissions, and similar bodies to which the Board may have authority to appoint one or more of its members to serve, shall be by majority vote of the Board.

The County Administrator will maintain the current lists of boards and commissions that require Board of Supervisors representation as determined appropriate by the Board. Assignments will be reviewed and updated on an annual basis at the organizational meeting in January of each year. Interim changes of assignment may occur as deemed appropriate by the Board.

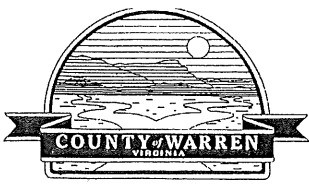
Motion to be Made Going into Closed Meeting

I move the Board enter into a closed meeting under the provisions of Section 2.2-3711(A)(8) of the Virginia Freedom of Information Act for consultation with legal counsel for the provision of legal advice regarding the Town CARES Act Agreement.

- - -

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 Section (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.



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS WORK SESSION

DATE	ITEM	SUBJECT	PAGE 1 OF 1
September 8, 2020	WS-D	Amending and re-ordaining Section 172-2 of the Warren County Code to designate the roads in Linden Heights as highways for law enforcement purposes	

EXPLANATION & SUMMARY:

On October 7, 1980, the Board of Supervisors added Section 172-2 to the Warren County Code, which designated certain private roads as highways for law enforcement purposes. All of the platted roads and streets located in Shenandoah Farms Subdivision and shown on several Warren County Tax Maps, including Tax Map 23C, were designated as highways when said ordinance was adopted.

Since that time, a portion of properties located in Shenandoah Farms and found on Tax Map 23C have separated themselves from Shenandoah Farms. Specifically in 1992, the Linden Heights Homeowners Association and the Property Owners of Shenandoah Farms entered into an agreement which separated these properties completely from the Property Owners of Shenandoah Farms. See the attached agreement. Additionally, on January 13, 2014, the Warren County Circuit Court entered an order establishing the Linden Heights Sanitary District, which included properties shown on Tax Map 23C (Sheet 2 of 9 and Sheet 4 of 9). See the attached order. Therefore, Section 172-2 of the Warren County Code should be amended to reflect the creation of the Linden Heights Sanitary District.

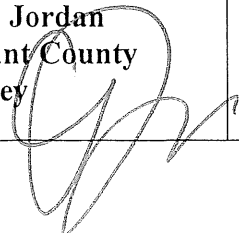
Virginia Code Section 46.2-1307.1 permits the Warren County Board of Supervisors to adopt ordinances designating private roads within any residential development containing 50 or more lots as highways for law-enforcement purposes. Linden Heights Sanitary District contains 94 lots and may be listed specifically in Section 172-2 of the Warren County Code.

The County Attorney's office has drafted a proposed amendment to Section 172-2 of the Warren County Code and it is attached for your review.

A public hearing was properly advertised and held on August 18, 2020. During the public hearing the Board had questions regarding how the proposed amendments would impact law enforcement procedures within Linden Heights, and the Board voted to move this item to the September 8, 2020 work session for further discussion. Law enforcement officers will be present at the work session to help address the Board of Supervisors' questions.

COST & FINANCING:

N/A

SUBMITTED BY: Caitlin Jordan Assistant County Attorney 	DISPOSITION OF BOARD: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:
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AN ORDINANCE TO AMEND AND RE-ORDAIN SECTION 172-2 OF THE WARREN COUNTY CODE TO DESIGNATE THE PRIVATE ROADS AND PRIVATE STREETS LOCATED IN LINDEN HEIGHTS AS HIGHWAYS FOR LAW ENFORCEMENT PURPOSES

BE IT ORDAINED BY THE WARREN COUNTY BOARD OF SUPERVISORS that Section 172-2 of the Warren County Code (Designation of certain private roads as highways) be amended and re-ordained as follows:

Chapter 172: Vehicles and Traffic

Article I: General Restrictions and Regulations

§ 172-2 Designation of certain private roads as highways.

[Added 10-7-1980; amended 4-16-1985; 3-17-1986; 10-6-1986]

For law enforcement purposes only, the following described private roads or streets are hereby designated as "highways," as defined in § 46.2-100, Code of Virginia 1950, as amended:

- A. All of the private roads and private streets located in High Knob Subdivision, as set forth on the plats of said subdivision recorded by High Knob, Incorporated, in the Clerk's office of the Circuit Court of Warren County.
- B. All of the platted roads and streets located in Shenandoah Farms Subdivision, as shown on the following Warren County Tax Maps: 7A; 7A1; 15B; 15C; 15D, Sheets 1 and 2; 15E, Sheets 1-5; 15F; 15G; 15H; 23C, Sheets ~~1-9~~ **1, 3, and 5-9**; and 24C.
- C. All the platted roads and streets located in Shenandoah Shores Subdivision, as shown on Warren County Tax Map 13C, Sheets 1 and 2.
- D. All of the platted roads and streets located in Shenandoah River Lakes Subdivision, as shown on Warren County Tax Map 10A.
[Added 7-20-1987]
- E. All of the platted roads and streets in Apple Mountain Lake Subdivision, as shown on Warren County Tax Map 22B.
[Added 7-20-1987]
- F. All of the platted roads and streets in Shenandoah River Estates and Bolling Subdivisions and adjacent residential areas, as shown on Warren County Tax Maps 20C and 21C.
[Added 7-20-1987]
- G. All of the platted roads and streets in Lake Front Royal Subdivision, as shown on Warren County Tax Map 39C.
[Added 9-21-1987]

- H. All of the platted roads and streets in the Thunderbird Farms Subdivision area platted as Sections 1, 2, 3 and 4 of the Haynes-Anderson Trust Property, as shown on Warren County Tax Map 36C, Sheets 1-6.
[Added 11-16-1987]
- I. All of the platted roads and streets in the Apple Mountain West Subdivision, as shown on Warren County Tax Map 22C.
[Added 12-5-1988]
- J. All of the platted roads and streets in the Blue Mountain Subdivision, as shown on Warren County Tax Maps 15A; 16A; 24A, Sheets 1 and 2; 24B, Sheets 1 and 2; and 24D.
[Added 12-16-1991]
- K. All of the platted roads and streets located in Skyland Estates subdivision, including all roads and streets located in the Skyland Estates Sanitary District, as are of record in the Clerk's office of the Circuit Court of Warren County.
[Added 10-19-1999]
- L. All of the platted roads and streets located in Point O' Woods Subdivision as are of record in the Clerk's Office of the Circuit Court of Warren County.
[Added 10-21-2003]
- M. ^[1] All of the platted roads and streets located in Apple Mountain Lake South Subdivision, as shown on Warren County Tax Map 31C.
[Added 10-17-2006]
- N. All of the platted roads and streets located in Linden Heights Subdivision, as shown on Warren County Tax Map 23C, Sheets 2 and 4.**

^[1] *Editor's Note: Former Subsection M, designating platted roads and streets in the Cedarville Heights subdivision as "highways," which immediately followed this subsection, was repealed 10-18-2005.*

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

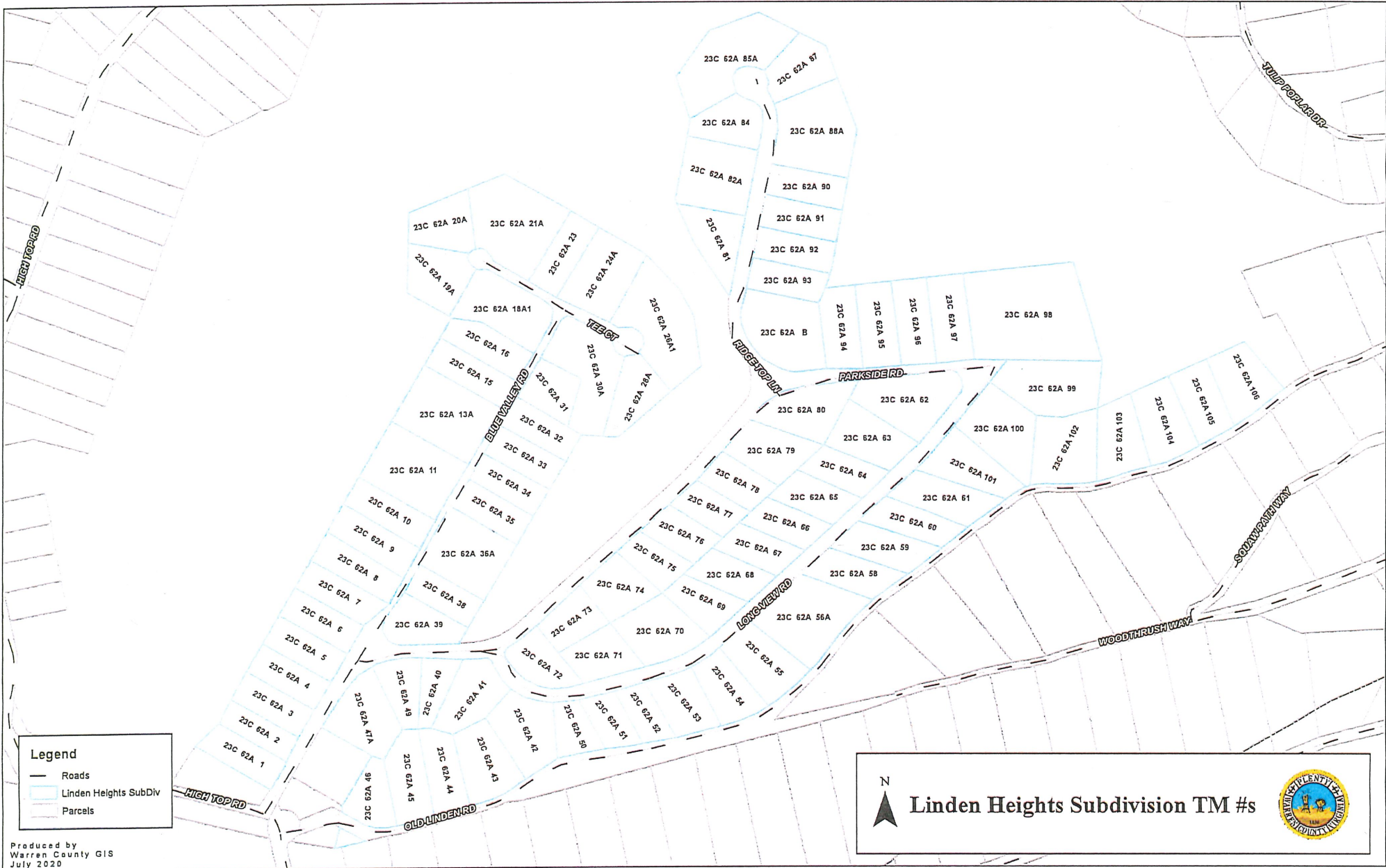
Language proposed to be deleted is ~~lined through~~.
Language proposed to be added is **underlined**.

Code of Virginia
Title 46.2. Motor Vehicles
Chapter 13. Powers of Local Governments

§ 46.2-1307.1. Designation of private roads as highways for law-enforcement purposes in certain counties.

Notwithstanding the provisions of § 46.2-1307, the governing body of Warren County may adopt ordinances designating the private roads within any residential development containing 50 or more lots as highways for law-enforcement purposes, and the governing body of Greene County, upon receipt of a petition therefore by a majority of property owners within a residential development containing 25 or more lots, may adopt ordinances designating the private roads within any such development as highways for law-enforcement purposes. Such ordinance may also provide for certification of road signs and speed limits by private licensed professional engineers using criteria developed by the Commissioner of Highways, and for law-enforcement purposes, such certification shall have the same effect as if certified by the Commissioner of Highways.


2006, c. 870; 2007, c. 187; 2014, c. 90.



Legend

- Roads
- ▭ Linden Heights SubDiv
- ▭ Parcels

N
 Linden Heights Subdivision TM #s



Produced by
 Warren County GIS
 July 2020

AGREEMENT

THIS AGREEMENT is made and entered into this 12th day of November, 1992, by and between the Property Owners of Shenandoah Farms, hereinafter referred to as POSF and Linden Heights Homeowners Association, hereinafter referred to as LHHA.

WHEREAS, POSF was formed in part to provide maintenance, repair and improvement to roads and common properties in certain hereinafter described subdivisions of land and to promote the health, safety and welfare of the residents in said subdivisions and

WHEREAS, the geographic size and number of lots for which POSF is responsible has created an overwhelming burden on POSF, and POSF is unable at this time to meet its obligations as set forth hereinabove, and

WHEREAS, that portion of Shenandoah Farms known as Mountain View Section IIA, a plat of which is recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia, in Deed Book 223, Pages 74 through 98 is a portion of and dependent upon POSF for the services set forth hereinabove, and

WHEREAS, the owners of the lots in the said Mountain View Section IIA have formed a separate and independent homeowners association called Linden Heights Homeowners Association (LHHA) and desire to separate themselves from POSF, and

WHEREAS, and POSF and LHHA are both in agreement that it is in the best interest of all lot owners of Shenandoah Farms that the said separation take place.

NOW THEREFORE, that for and in consideration of the mutual covenants contained herein the said Property Owners of Shenandoah Farms and Linden Heights Homeowners Association hereby agree as follows:

1. That portion of Shenandoah Farms known as Mountain View Section IIA as recorded in the Clerk's Office of Warren County, Virginia, in Deed Book 223, Page 74 to 98 shall be removed from membership and no longer be a part of POSF. Said Mountain View Section IIA shall from this date forward be governed as to the matters set forth hereinabove by a declaration in accordance with Section 55-508 et seq. of the Code of Virginia of 1950, as amended, the Property Owners Association Act, which imposes on the Association maintenance or operational responsibilities and to require mandatory payments as a regular assessment in connection with the maintenance and/or services for the benefit of the lots.

2. The parties hereto agree that they will request the Board of Supervisors of Warren County, Virginia, to approve this action, if such approval is necessary.

3. POSF relinquishes all rights to any fees which might be collected in the future for the matters provided for herein as to Mountain View Section IIA, and LHHA assumes all responsibility for said maintenance and other requirements as set forth in the aforesaid declaration and will not look to POSF for any of said responsibilities.

4. LHHA hereby forever relinquishes and gives up all rights and interest in the common areas of POSF except for that

portion of High Top Road which provides access, including ingress and egress to and from Mountain View Section IIA and State Route 538 and Blue Valley Road. The said High Top Road will be used by the residents of Mountain View Section IIA and POSF and therefore POSF and LHHA agree that they will be jointly responsible for providing maintenance and repairs for said High Top Road by agreement to be made between the said POSF and LHHA.

In the event there would be any future common roads or properties which serve both POSF and Mountain View Section IIA the arrangements set forth in Paragraph 4 above shall apply.

5. The parties agree that all of the roads within the area which is to be a part of LHHA hereby transfer to the responsibility of LHHA and inure to the benefit of the property owners in the LHHA area. Further the names of said roads hereby transfer as aforesaid.

6. POSF agrees that it will not attempt to collect any back road or maintenance fees which are delinquent or unpaid from any lot owner in Mountain View Section IIA.

The said POSF and LHHA mutually agree to hold each other harmless from actions against the other and covenant not to sue each other over any matters pertaining to this separation or prior or future maintenance and repair matters as set forth in the declaration of POSF or in the declaration of LHHA.

This Agreement shall constitute the entire agreement between POSF and LHHA and it shall not be amended except by future agreement of the parties in writing.

OK 499 10 176

This Agreement shall be construed and interpreted in accordance with the laws of the Commonwealth of Virginia.

WITNESS the following signatures and seals:

PROPERTY OWNERS OF SHENANDOAH FARMS

BY: Kathy K. Cook (SEAL)

LINDEN HEIGHTS HOMEOWNERS ASSOCIATION

BY: Parula J. Howe (SEAL)

STATE OF VIRGINIA

COUNTY OF Warren, TO-WIT:

The foregoing instrument was acknowledged before me this 12 day of November, 1992, by Kathy K. Cook the Chairman of the Board of Property Owners of Shenandoah

Debbie L. Simpson
Notary Public



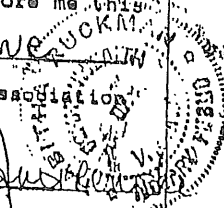
My Commission Expires: 02-28-92

STATE OF VIRGINIA

COUNTY OF Warren, TO-WIT:

The foregoing instrument was acknowledged before me this 15th day of November, 1992, by Parula J. Howe the President of Linden Heights Homeowners Association

Wabilia (Puckett) Jones
Notary Public



My Commission Expires February 28, 1993

grantee's address:

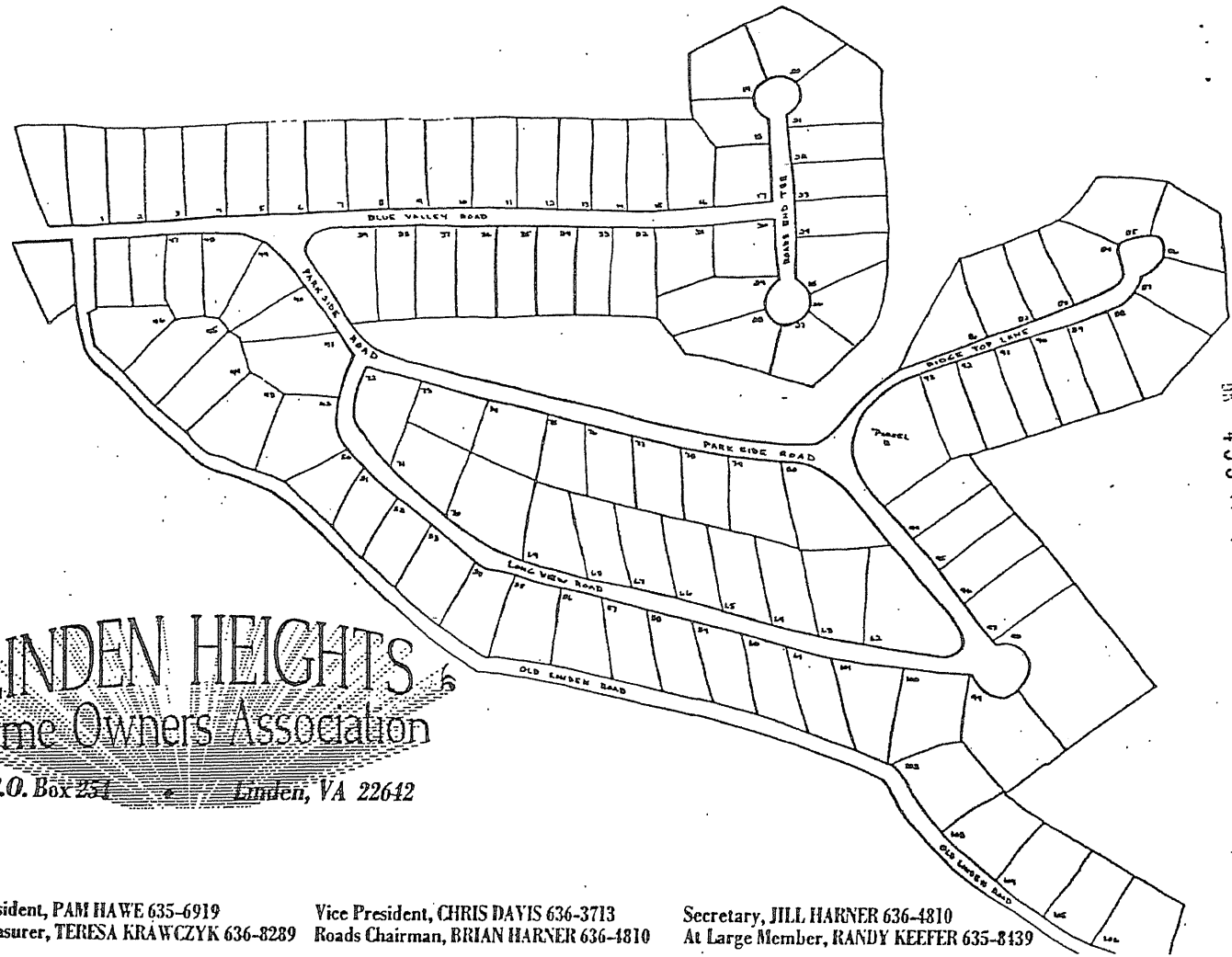
disposition of orig.
 not held by clerk
 to be delivered
 to be mailed

Warren Co. Va. Taxes & Fees		
038	grantor	grantee
220	state 039	_____
	local 213	_____
	trans 212	_____
	vsif 145	<u>1.00</u>
	recd 301	<u>16.00</u>
	total	_____
	grand total	<u>17.00</u>

Instrument No.: LR9202025
May 27 1993 @ 11:30 AM

This document has been duly recorded in the Clerk's Office of Warren County Circuit Court. Date, time & cost of recording are as shown hereon.

William A. Hill, Clerk



LINDEN HEIGHTS
 Home Owners Association
 P.O. Box 251 Linden, VA 22642

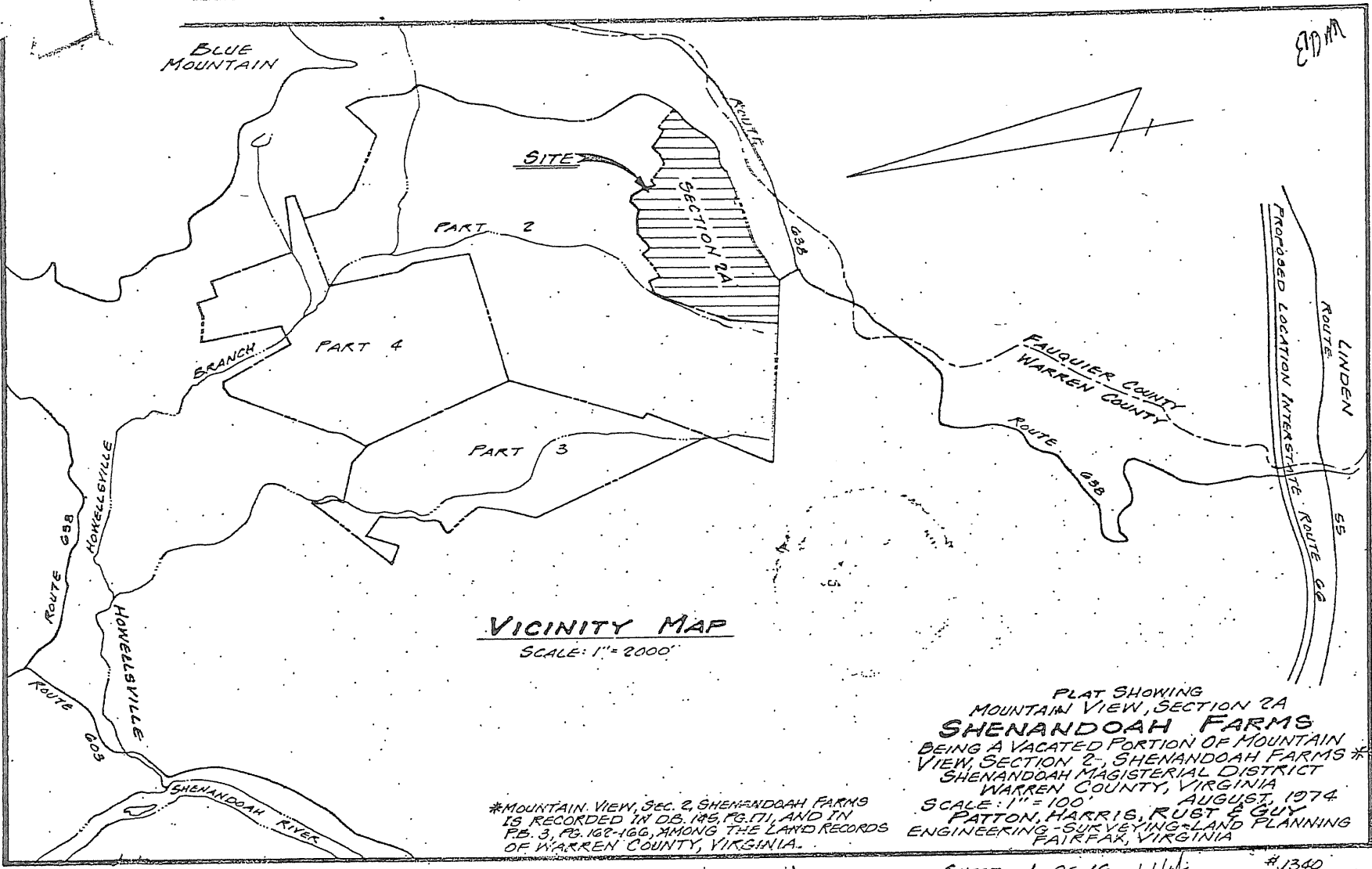
President, PAM HAWE 635-6919
 Treasurer, TERESA KRAWCZYK 636-8289

Vice President, CHRIS DAVIS 636-3713
 Roads Chairman, BRIAN HARNER 636-4810

Secretary, JILL HARNER 636-4810
 At Large Member, RANDY KEEFER 635-8439

111 664 96
 177

EDM



VICINITY MAP
SCALE: 1" = 2000'

PLAT SHOWING
MOUNTAIN VIEW, SECTION 2A
SHENANDOAH FARMS
BEING A VACATED PORTION OF MOUNTAIN
VIEW, SECTION 2, SHENANDOAH FARMS *
SHENANDOAH MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA
SCALE: 1" = 100' AUGUST, 1974
PATTON, HARRIS, RUST & GUY
ENGINEERING-SURVEYING-LAND PLANNING
FAIRFAX, VIRGINIA

*MOUNTAIN VIEW, SEC. 2, SHENANDOAH FARMS
IS RECORDED IN DB. 145, PG. 71, AND IN
P.B. 3, PG. 162-166, AMONG THE LAND RECORDS
OF WARREN COUNTY, VIRGINIA.

OWNER'S CONSENT & DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, CONTAINING 158.23434 ACRES, MORE OR LESS, AND DESIGNATED SHENANDOAH FARMS SUBDIVISION, SITUATED IN THE SHENANDOAH MAGISTERIAL DISTRICT IN THE COUNTY OF WARREN, VIRGINIA, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS THEREOF; THAT ALL STREETS SHOWN ON SAID PLAT ARE HEREBY DEDICATED TO THE PUBLIC USE, AND THAT ALL LOTS WITHIN THE SUBDIVISION ARE SUBJECT TO CERTAIN RESTRICTIONS, RESERVATIONS, STIPULATIONS AND COVENANTS AS CONTAINED IN WRITING EXECUTED BY THE UNDERSIGNED UNDER DATE OF _____ AND ATTACHED HERETO.

ATTEST:
Quaid Young Hays SECRETARY
Robert Young, Inc. T/A SHENANDOAH FARMS BY:
Robert Young, Inc. T/A SHENANDOAH FARMS BY: PRESIDENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 17th DAY OF JAN., 1975.
MY COMMISSION EXPIRES JUNE 28, 1975
David K. ...
NOTARY PUBLIC

ALL UNSUITABLE LOTS SHALL BE EITHER DEDICATED TO COMMON OPEN SPACE OR SHALL BE SOLD TO AN ADJOINING PROPERTY OWNER AND SHALL BECOME FOREVER AN INTEGRAL PART OF SAID ADJOINING LOT.

LOTS ARE SUBJECT TO APPROVAL OR DISAPPROVAL BY THE WARREN COUNTY HEALTH DEPT. ON AN INDIVIDUAL LOT BASIS AS TO LOCATION OF THE WATER SUPPLY AND THE INSTALLATION OF SEWAGE DISPOSAL SYSTEMS.

WATER AND SEWER GUARANTEE

THE DEVELOPER GUARANTEES TO THE INITIAL PURCHASER OF EACH LOT THAT IF THE WARREN COUNTY HEALTH DEPARTMENT WILL NOT ISSUE A PERMIT FOR AN APPROVED SEWAGE DISPOSAL SYSTEM FOR A DWELLING WITH INTERNAL RUNNING WATER, THE DEVELOPER WILL EXCHANGE SAID LOT FOR ANOTHER OF EQUIVALENT VALUE WITHIN THE SUBDIVISION KNOWN AS SHENANDOAH FARMS. IN THE EVENT NO SUCH LOT IS AVAILABLE, THE DEVELOPER WILL REFUND ALL MONIES PAID BY THE PURCHASER FOR THE UNSUITABLE LOT. THIS GUARANTEE WILL NO LONGER APPLY ONCE THE SAID HEALTH DEPARTMENT HAS ISSUED A PERMIT FOR AN APPROVED SYSTEM.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT AND THAT IT IS A SUBDIVISION OF THE LAND CONVEYED TO ROBERT E. YOUNG, JUDY Y. FLYNN, AND RICHARD E. HILL, TRS. BY DEED DATED SEPTEMBER 22, 1962, AND RECORDED IN THE CLERK'S OFFICE OF WARREN COUNTY, VIRGINIA, IN DEED BOOK 172, PAGE 87.

GIVEN UNDER MY HAND THIS 1ST DAY OF August, 1974

Wesley G. Harris, Jr.
WESLEY G. HARRIS, JR.
CERTIFIED LAND SURVEYOR



CHAIRMAN, BOARD OF SUPERVISORS

J. A. ...
DATE 5-12-75

VIRGINIA DEPT. OF HIGHWAYS

DATE 4-11-75
DATE 3-12-75

HEALTH DEPARTMENT

CHAIRMAN, PLANNING COMMISSION

Bernard L. ...
DATE 3-12-75

* MOUNTAIN VIEW, SEC. 2, SHENANDOAH FARMS IS RECORDED IN DB. 145, PG. 171, AND IN PG. 3, PG. 162-166, AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.

PLAT SHOWING
MOUNTAIN VIEW, SECTION 2A
SHENANDOAH FARMS
BEING A VACATED PORTION OF MOUNTAIN VIEW, SECTION 2, SHENANDOAH FARMS * SHENANDOAH MAGISTERIAL DISTRICT WARREN COUNTY, VIRGINIA
SCALE: 1" = 100'
AUGUST, 1974
PATTON, HARRIS, RUST & GUY
ENGINEERING - SURVEYING - LAND PLANNING
FAIRFAX, VIRGINIA

SHEET 2 OF 16

#1340

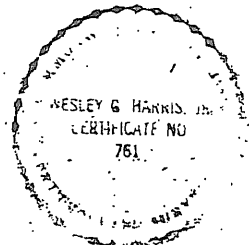
CURVE TABLE						
NO.	RADIUS	DELTA	TANGENT	ARC	CHORD	CHORD BEARING
1	260.00'	60°00'00"	150.11'	278.27'	260.00'	N 67° 00' 00" E
2	235.00'	60°00'00"	135.68'	260.00'	235.00'	N 67° 00' 00" E
3	41.67'	120°00'00"	106.81'	129.16'	106.81'	N 22° 59' 59" W
4	25.00'	90°00'00"	25.00'	39.27'	35.36'	N 08° 00' 00" W
5	25.00'	90°00'00"	25.00'	39.27'	35.36'	N 82° 00' 00" E
6	30.00'	52°19'48"	14.74'	27.40'	26.46'	N 79° 09' 54" W
7	60.00'	284°39'37"	-46.32'	298.10'	73.33'	N 37° 00' 00" E
8	30.00'	52°19'48"	14.74'	27.40'	26.46'	S 26° 50' 06" E
9	30.00'	52°19'48"	14.74'	27.40'	26.46'	S 79° 09' 54" E
10	60.00'	284°39'37"	-46.32'	298.10'	73.33'	S 37° 00' 00" W
11	30.00'	52°19'48"	14.74'	27.40'	26.46'	N 26° 50' 06" W
12	300.00'	42°30'00"	116.66'	222.53'	217.46'	N 75° 45' 00" E
13	275.00'	42°30'00"	106.94'	203.90'	199.34'	N 75° 45' 00" E
14	525.00'	13°02'12"	37.13'	73.95'	73.79'	S 80° 31' 06" E
15	25.00'	81°47'11"	21.65'	35.69'	32.73'	S 55° 08' 37" E
16	25.00'	81°47'11"	21.65'	35.69'	32.73'	N 26° 58' 37" E
17	325.00'	13°02'12"	37.13'	73.95'	73.79'	N 61° 01' 06" E
18	900.00'	06°25'19"	50.89'	100.88'	100.82'	N 51° 17' 21" E
19	875.00'	06°25'19"	49.29'	98.07'	98.02'	N 51° 17' 21" E
20	925.00'	06°25'19"	51.89'	103.68'	103.62'	N 51° 17' 21" E
21	141.65'	79°33'41"	117.94'	196.70'	181.27'	N 08° 17' 51" E
22	3000.00'	82°55'19"	117.94'	224.74'	219.52'	N 69° 32' 21" E
23	214.99'	57°31'00"	117.94'	215.73'	206.78'	S 60° 14' 30" E
24	116.65'	79°33'41"	27.12'	161.98'	149.28'	N 08° 17' 51" E
25	275.00'	82°55'19"	108.11'	206.01'	201.25'	N 69° 32' 21" E
26	189.99'	57°31'00"	104.22'	190.63'	182.72'	N 60° 14' 30" W
27	239.24'	29°39'00"	110.67'	207.31'	200.89'	N 06° 39' 30" W
28	264.24'	49°39'00"	122.23'	228.08'	221.88'	N 06° 39' 30" W
29	214.24'	49°39'00"	99.10'	185.65'	179.89'	N 06° 39' 30" W
30	113.99'	50°37'30"	53.91'	100.71'	97.47'	N 07° 08' 45" W
31	88.99'	50°37'30"	42.09'	78.62'	76.05'	N 07° 08' 45" W
32	138.99'	50°37'30"	65.74'	122.80'	118.85'	N 07° 08' 45" W
33	30.00'	52°19'48"	14.74'	27.40'	26.46'	N 58° 37' 24" W
34	60.00'	284°39'37"	-46.32'	298.10'	73.33'	N 57° 32' 30" E
35	30.00'	52°19'48"	14.74'	27.40'	26.46'	S 06° 17' 36" E
36	50.00'	133°44'00"	117.03'	116.70'	91.56'	S 22° 08' 00" E
37	25.00'	60°00'00"	25.00'	39.27'	35.36'	N 61° 00' 00" E
38	75.00'	283°44'00"	-100.01'	332.14'	120.01'	S 22° 08' 00" E
39	25.00'	60°00'00"	25.00'	39.27'	35.36'	S 74° 44' 00" W
40	1170.45'	09°46'00"	100.00'	199.52'	199.27'	N 49° 37' 00" E
41	1145.45'	09°46'00"	97.86'	195.26'	195.02'	N 49° 37' 00" E
42	1195.45'	09°46'00"	102.14'	203.78'	203.53'	N 49° 37' 00" E
43	400.00'	27°30'00"	97.88'	191.99'	190.15'	N 68° 15' 00" E
44	375.00'	27°30'00"	91.76'	179.99'	178.26'	N 68° 15' 00" E
45	425.00'	27°30'00"	104.00'	203.99'	202.03'	N 68° 15' 00" E
46	210.00'	53°45'00"	188.26'	300.96'	280.36'	S 56° 07' 30" E
47	185.00'	53°45'00"	165.85'	270.82'	246.98'	S 56° 07' 30" E
48	235.00'	53°45'00"	210.67'	343.51'	313.73'	S 56° 07' 30" E
49	300.00'	21°15'00"	56.28'	111.26'	110.63'	N 86° 22' 30" E
50	300.00'	21°15'00"	56.28'	111.26'	110.63'	N 65° 07' 30" E

AREA TABULATION

LOTS: 31.20580 ACRES
 STREET DEDICATION: 12.93173 ACRES
 OPEN: 64.09672 ACRES

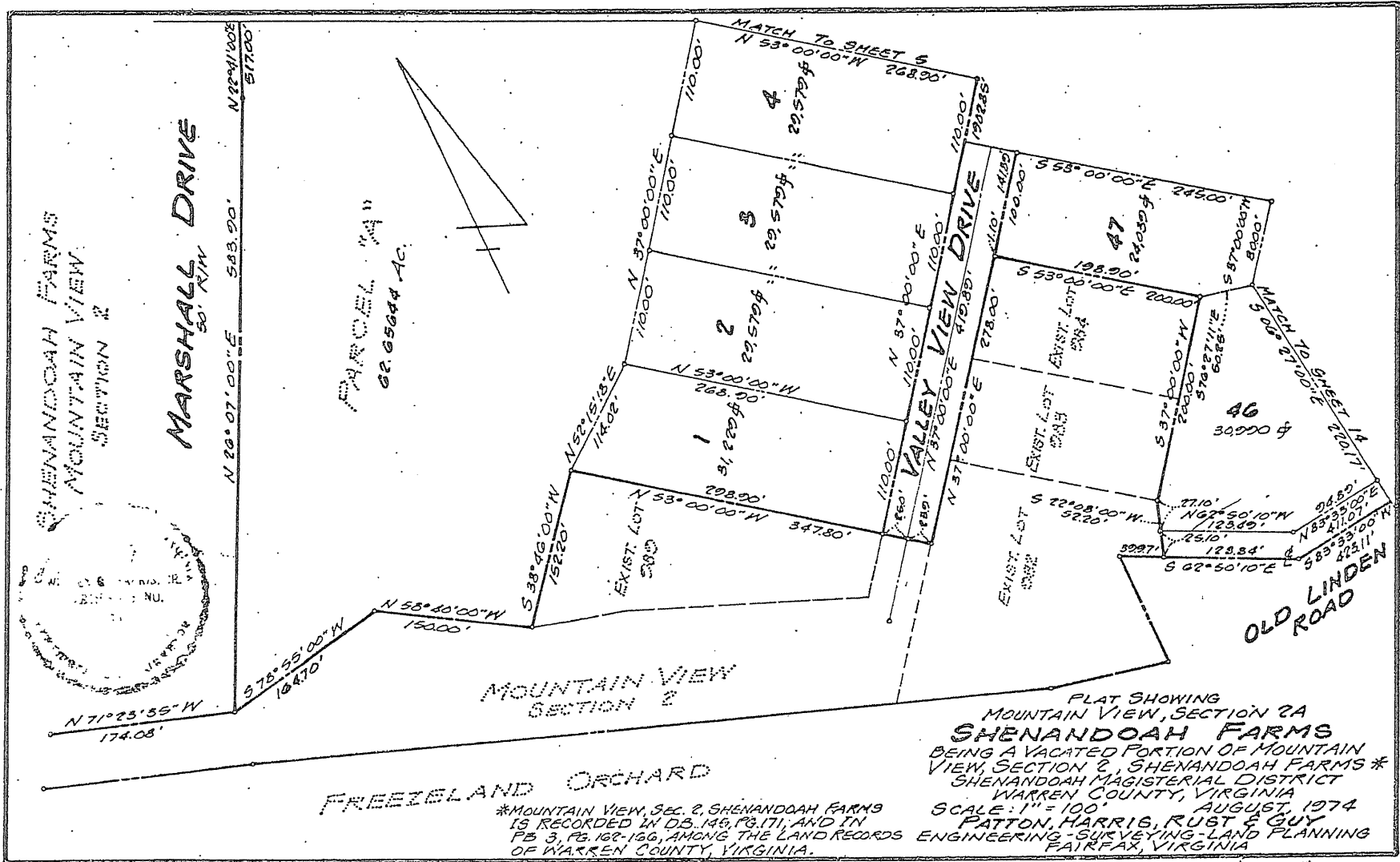
TOTAL: 158.23434 ACRES

TOTAL NUMBER OF LOTS - SECTION 2A = 106



*MOUNTAIN VIEW, SEC. 2, SHENANDOAH FARMS IS RECORDED IN DB, 145, PG. 171, AND IN FB, 3, PG. 162-166, AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.

PLAT SHOWING
 MOUNTAIN VIEW, SECTION 2A
SHENANDOAH FARMS
 BEING A VACATED PORTION OF MOUNTAIN VIEW, SECTION 2, SHENANDOAH FARMS * SHENANDOAH MAGISTERIAL DISTRICT WARREN COUNTY, VIRGINIA
 SCALE: 1" = 100' AUGUST, 1974
 PATTON, HARRIS, RUST & GUY
 ENGINEERING - SURVEYING - LAND PLANNING
 FAIRFAX, VIRGINIA



SHENANDOAH FARMS
MOUNTAIN VIEW
SECTION 2

MARSHALL DRIVE
50' R/W

PARCEL "A"
62.65644 AC.

MOUNTAIN VIEW
SECTION 2

FREEZELAND ORCHARD

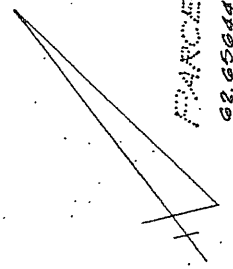
PLAT SHOWING
MOUNTAIN VIEW, SECTION 2A
SHENANDOAH FARMS
BEING A VACATED PORTION OF MOUNTAIN
VIEW, SECTION 2, SHENANDOAH FARMS *
SHENANDOAH MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA
SCALE: 1" = 100'
AUGUST, 1974
PATTON, HARRIS, RUST & GUY
ENGINEERING - SURVEYING - LAND PLANNING
FAIRFAX, VIRGINIA

*MOUNTAIN VIEW, SEC. 2, SHENANDOAH FARMS
IS RECORDED IN D.B. 149, PG. 171, AND IN
PB 3, PG. 162-166, AMONG THE LAND RECORDS
OF WARREN COUNTY, VIRGINIA.

SHEET 4 OF 16 *with* #1340

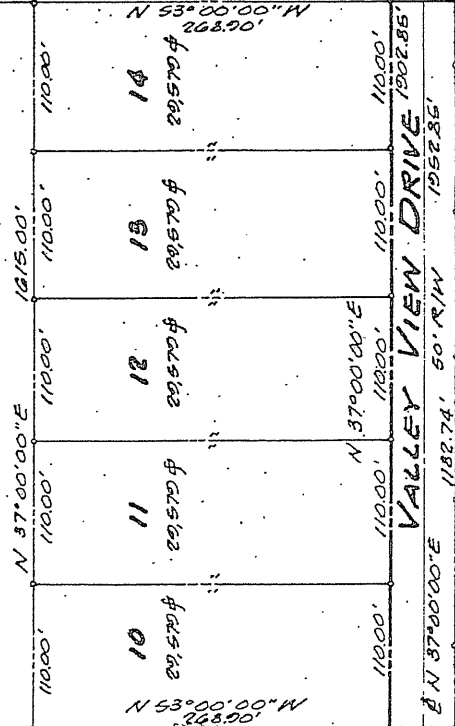
SHENANDOAH FARMS
MOUNTAIN VIEW
SECTION 2

N 45° 43' 00" E 380.40'
N 40° 18' 00" E 327.00'
N 38° 20' 00" E 202.30'

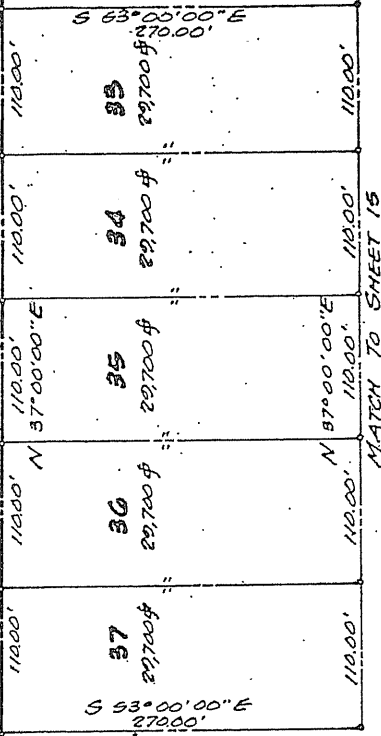


PARCEL 2A
62.65644 AC.

MATCH TO SHEET 7

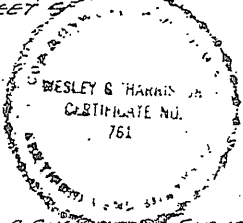


VALLEY VIEW DRIVE
58225.61' 50' R/W



MATCH TO SHEET 15

MATCH TO SHEET 5

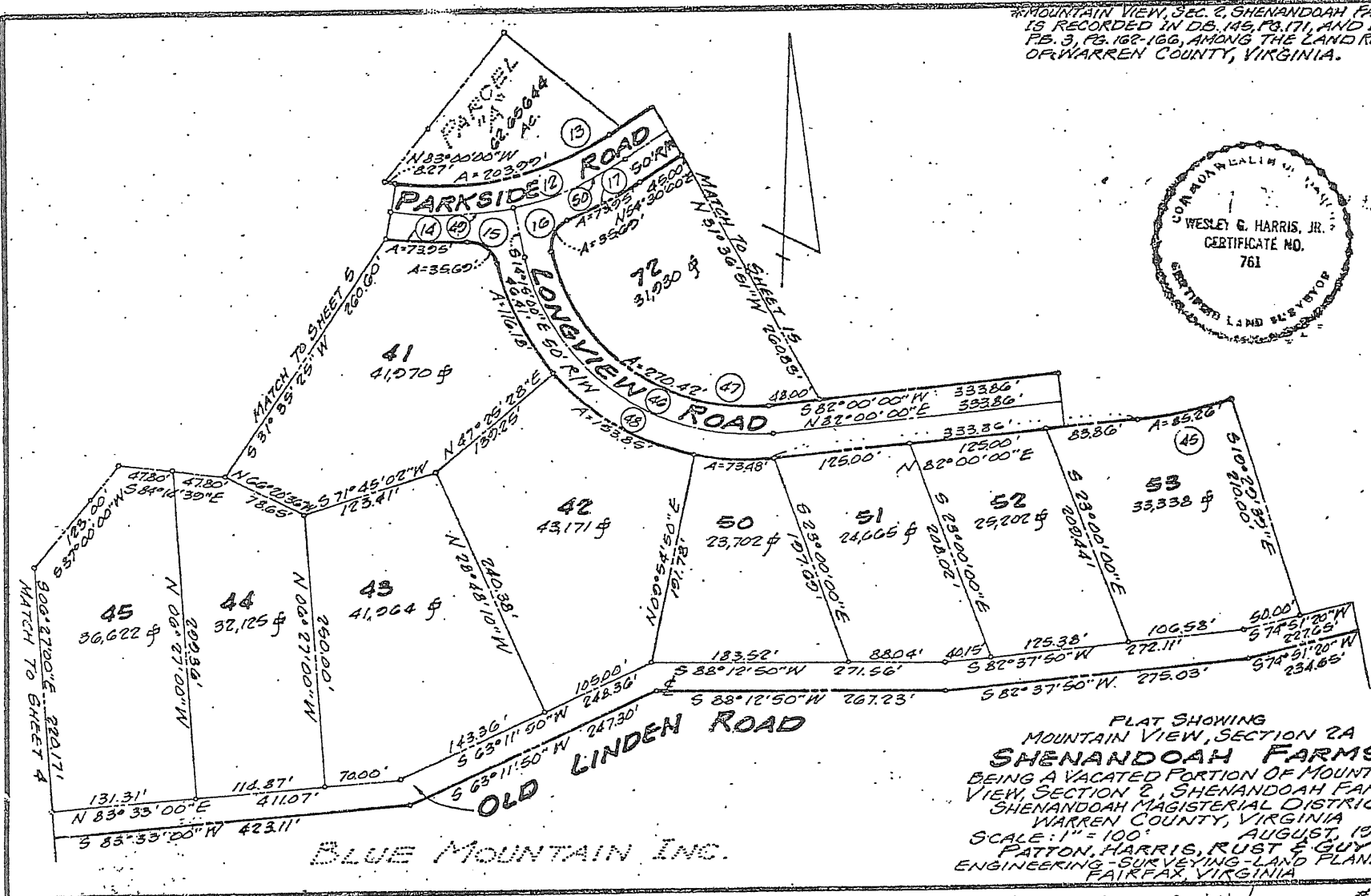
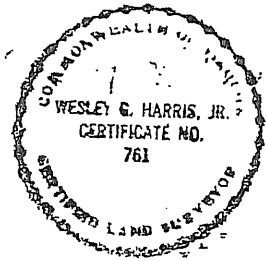


*MOUNTAIN VIEW, SEC. 2, SHENANDOAH FARMS IS RECORDED IN O.B. 145, PG. 171, AND IN P.B. 3, PG. 162-166, AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.

PLAT SHOWING
MOUNTAIN VIEW, SECTION 2A
SHENANDOAH FARMS
BEING A VACATED PORTION OF MOUNTAIN VIEW SECTION 2, SHENANDOAH FARMS * SHENANDOAH MAGISTERIAL DISTRICT WARREN COUNTY, VIRGINIA
SCALE: 1" = 100' AUGUST, 1974
PATTON, HARRIS, RUST & GUY
ENGINEERING-SURVEYING-LAND PLANNING
FAIRFAX, VIRGINIA

SHEET 6 OF 16 *W.B.H.* # 1340

MOUNTAIN VIEW, SEC. 2, SHENANDOAH FARMS IS RECORDED IN DB. 145, PG. 171, AND IN: PG. 3, PG. 162-166, AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.

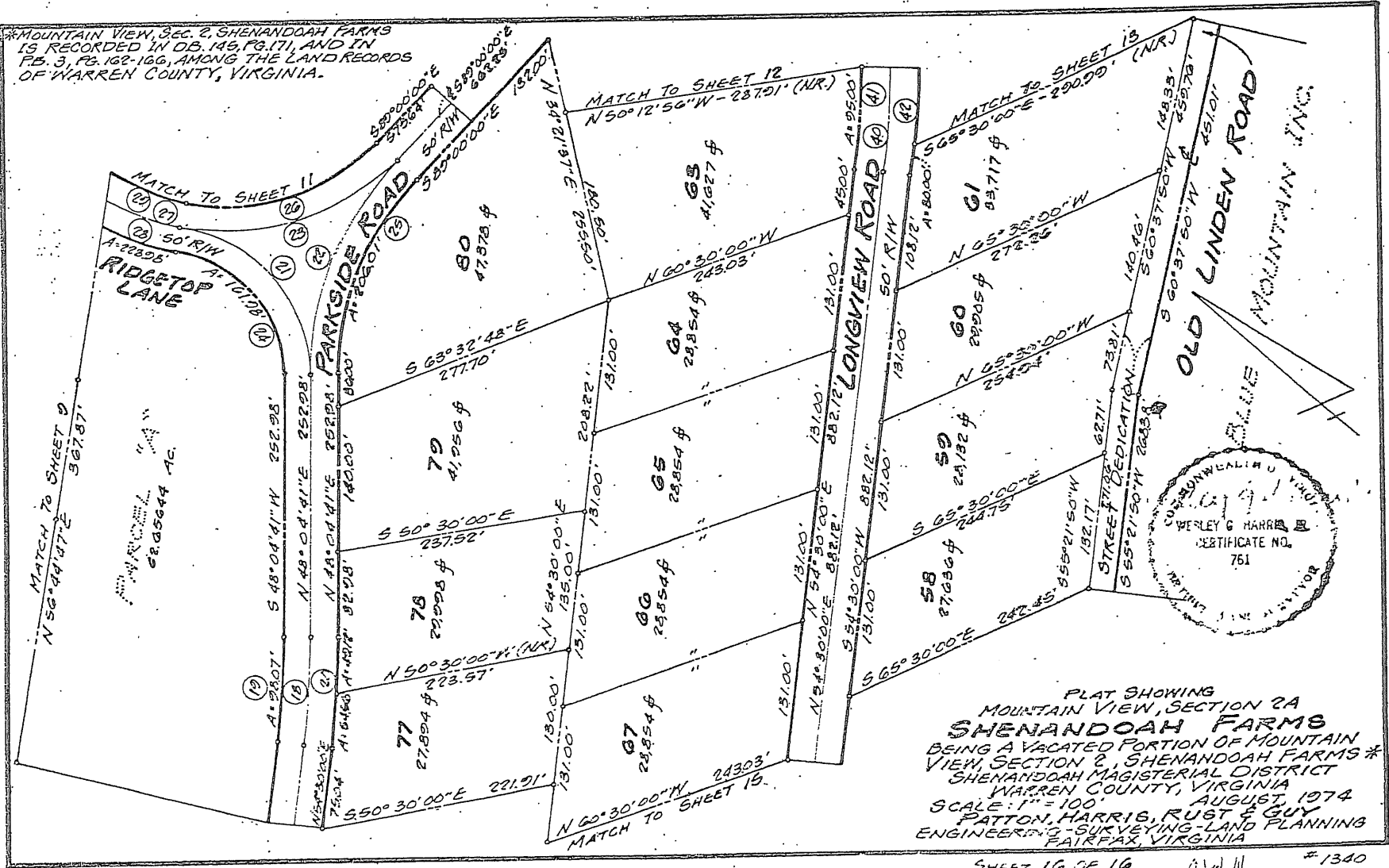


FLAT SHOWING
MOUNTAIN VIEW, SECTION 2A
SHENANDOAH FARMS
BEING A VACATED PORTION OF MOUNTAIN
VIEW, SECTION 2, SHENANDOAH FARMS *
SHENANDOAH MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA
SCALE: 1" = 100' AUGUST, 1974
PATTON, HARRIS, RUST & GUY
ENGINEERING-SURVEYING-LAND PLANNING
FAIRFAX, VIRGINIA

BLUE MOUNTAIN INC.

SHEET 14 OF 16 6/24/74 #1340

*MOUNTAIN VIEW, SEC. 2, SHENANDOAH FARMS IS RECORDED IN OB. 145, PG. 171, AND IN FB. 3, PG. 162-166, AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA.



6

IN THE CIRCUIT COURT OF WARREN COUNTY, VIRGINIA:

IN RE:

PROPOSED NEW SANITARY
DISTRICT IN THE SUBDIVISION OF
LINDEN HEIGHTS, SHENANDOAH
MAGISTERIAL DISTRICT OF
WARREN COUNTY

CASE NO.: L13001133 - 00

ORDER ESTABLISHING A SANITARY DISTRICT

This case came before the Court on January 13, 2014, on the petitioners' November 25, 2013, *Petition for Establishment of Sanitary District*, made pursuant to Virginia Code Section 21-112.22 et seq., (the "Petition") and the notice of this hearing by publication once a week for three consecutive weeks in *The Warren Sentinel*. Robert J. Light, Esquire, appeared for the Petitioners.

All pre-filed exhibits were admitted into evidence. Evidence was heard *ore tenus* and this public hearing was held as advertised.

At the conclusion of the evidence, the Court found that:

1. The Petition for the creation of a sanitary district complies with the provisions of Virginia Code Section 21-113.
2. The Petition has been signed by more than fifty (50) qualified voters residing in the proposed sanitary district.
3. Proper notice of the public hearing has been given by publication as required by Virginia Code Section 21-114.
4. Reasonable opportunity to oppose and defend against the petition has been provided as required by Virginia Code Sections 21-114 and 21-115.
5. The sanitary district will encompass all the property within the boundaries established by the May 26, 1993, Deed of Dedication, recorded in the Clerk's Office of this Court in Deed Book 499 at Page 170, and the outer boundaries shown upon the Warren County tax maps marked as Insert 23C (Sheet 2 of 9 and Sheet 4 of 9) and designated therein as the "Shenandoah Farms Mt. View Section 2A Resub of Part of Mt. View 2." Such tax maps provide a metes and bounds description of the sanitary district as required by Virginia Code Section 21-113 and are attached to the Petition as Exhibit A thereto.

J. Reg

It appearing to the court that the property embraced in the Linden Heights Subdivision (previously known as Mountain View Section 2A, of the Shenandoah Farms subdivision), as described in the Petition and as shown on Exhibit A thereto, will be benefitted by the establishment of a sanitary district, it is therefore, ADJUDGED, ORDERED and DECREED, that:

A. The Petition for the creation of a sanitary district is hereby GRANTED, and the LINDEN HEIGHTS SANITARY DISTRICT is hereby created pursuant to Virginia Code Sections 21-112.22 *et seq.*

B. The governing body of the Linden Heights Sanitary District shall have all of the powers and obligations set forth in the governing provisions of the Code of Virginia, as those provisions may be amended from time to time.

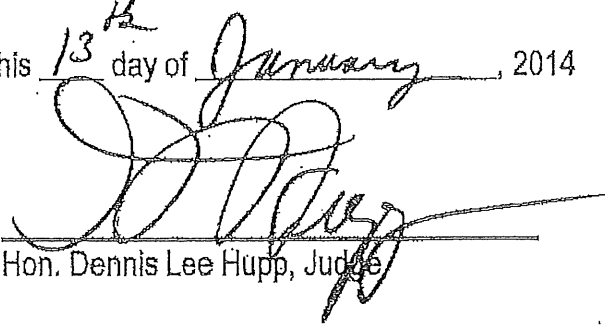
C. The governing body of the Linden Heights Sanitary District shall be the Board of Supervisors of Warren County, Virginia.

D. The property included in the Linden Heights Sanitary District is all of the property within the boundaries established by the May 26, 1993, Deed of Dedication, recorded in the Clerk's Office of this Court in Deed Book 499 at Page 170, and shown upon the Warren County tax maps marked as Insert 23C (Sheet 2 of 9 and Sheet 4 of 9) and designated therein as the "Shenandoah Farms Mt. View Section 2A Resub of Part of Mt. View 2" – said tax maps are attached to the Petition as Exhibit A thereto.

E. The Clerk send a copy of this order to counsel for the petitioners, to the Chairman of the Board of Supervisors of Warren County Virginia, and to the Warren County Attorney, who shall file such objections hereto as deemed advisable within ten (10) days of their receipt of a copy of this order.

F. The Clerk post a copy of this order at the Courthouse for thirty (30) days.

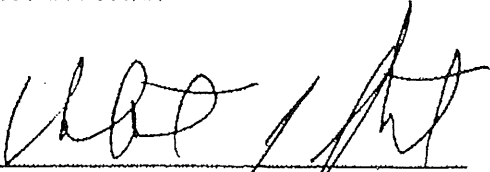
Entered _____ this 13th day of January, 2014



Hon. Dennis Lee Hupp, Judge

*cc: Com. of Supervisors
Mitchell, Esq.
Light
Post
Incolic.
01-16-14*

I ASK FOR THIS:



Robert J. Light, Esquire (VSB No. 43553)

Lawson and Silek, P.L.C.

43 Chester Street

P.O. Box 602

/ Front Royal, Virginia 22630

Telephone: (540) 635-9415

Facsimile: (540) 635-9421

Email: rlight@lawsonandsilek.com

Counsel for Petitioners

**BY-LAWS OF THE
WARREN COUNTY BROADBAND COMMITTEE**

ARTICLE 1 – PURPOSE OF COMMITTEE

1-1 The purpose of the Warren County Broadband Committee (the “Committee”) is to serve as an advisory committee to the Warren County Board of Supervisors. The Committee will work with the County’s consultant to make recommendations to the Board of Supervisors to assist with the planning, creation, administration, and implementation of Warren County’s Strategic Broadband Plan.

ARTICLE 2 – MEMBERS

2-1 The Committee shall consist of five (5) members, one from each of the County’s Magisterial Districts: Fork, Happy Creek, North River, Shenandoah, and South River. Each Supervisor shall appoint one member to the Committee.

2-2 Each member shall be appointed for a four (4) year term. For the initial appointment after the formation of the Committee, three (3) members shall be appointed to four-year terms and two (2) members to two-year terms. Thereafter, all at-large members shall hold office for a term of four (4) years each, such that the terms of office of the Directors are staggered. Members shall hold office until the successor has been appointed, which successor shall serve the unexpired remainder of that member’s term.

2-3 The Warren County General Services Director or his/her designee shall serve as staff support to the Committee.

ARTICLE 3 – SELECTION OF OFFICERS

3-1 The officers of the Committee shall be appointed for a one-year term, with no individual holding an office for more than two consecutive terms without a one year lapse between terms. The Committee shall elect officers each January and fill vacancies as required the intervening months.

3-2 Officers of the Committee shall consist of a Chairman and Secretary.

3-3 Nomination of officers shall be made from the floor at the beginning of the January meeting for the ensuing year. Election of officers shall follow immediately. A candidate receiving a majority vote of the directors shall be declared elected.

3-4 Terms of office shall be for one year or until a successor takes office. Vacancies shall be filled for an unexpired term by a majority vote of the Committee.

ARTICLE 4 – DUTIES OF OFFICERS

- 4-1 The Chairman shall:
 - 4-1-1 Develop agenda and preside at meetings.
 - 4-1-2 Report bi-monthly to the Warren County Board of Supervisors.
 - 4-1-3 Rule on procedural questions (subject to reversal by a majority vote of the directors present).
 - 4-1-4 Certify minutes as true and correct copies.
 - 4-1-5 Carry out other duties as assigned by the Committee.

- 4-2 The Secretary shall:
 - 4-2-1 Record attendance at all meetings.
 - 4-2-2 Record the minutes of the Committee meetings.
 - 4-2-3 Notify directors of all meetings.
 - 4-2-4 Maintain a file of all official Committee records and reports.
 - 4-2-5 Certify maps, records, and reports of the Committee.
 - 4-2-6 Give notice and be responsible for publishing public notices of all Committee public hearings and public meetings.
 - 4-2-7 Attend to the correspondence necessary for the execution of the duties and functions of the Committee.

ARTICLE 5 – SUBCOMMITTEES

- 5-1 The Committee may appoint such subcommittees or advisory groups as necessary for the conduct of its work. The Chairman of the Committee shall be an ex-officio member of all such subcommittees or groups.

ARTICLE 6 – MEETINGS

- 6-1 The Committee shall meet as needed at a time and place determined by the Chairman.
- 6-2 Special meetings may be called by the Chairman or on request of three members of the Committee by mailed notice at least seven (7) days in advance of the date of such special meeting. Emergency meetings may be convened by the Chairman with a 24-hour telephone notice attempt to reach all members.
- 6-3 The Committee shall endeavor to hold its meetings in various locations of the County in order to facilitate citizen involvement.

- 6-4 All meetings of the Committee shall be open to the public, except as provided for in the Virginia Freedom of Information Act.
- 6-5 A quorum shall consist of a majority of the members.
- 6-6 If any member has three (3) unexcused absences in a calendar year, the member shall be removed from the Committee and another representative shall be appointed by the Board of Supervisors to fill the unexpired term.
- 6-7 The Board of Supervisors may remove any Committee member for any reason by unanimous consent of the Board of Supervisors.

ARTICLE 7 – VOTING

- 7-1 A majority of the members shall constitute a quorum.
- 7-2 No action of the Committee shall be valid unless authorized by a majority vote of those present and voting.

ARTICLE 8 – ORDER OF BUSINESS

- 8-1 The order of business for a regular meeting shall be:
 - 8-1-1 Call to Order
 - 8-1-2 Roll Call
 - 8-1-3 Adoption of Agenda
 - 8-1-4 Approval of Minutes
 - 8-1-5 Committee Matters
 - 8-1-6 Adjournment
- 8-2 Parliamentary procedure in Committee meetings shall be governed by Robert’s Rules of Order.
- 8-3 The Committee shall keep minutes of each meeting, and these minutes shall become a public record. The Chairman shall sign all minutes, and they shall be kept in the official minute book.

ARTICLE 9 – AMENDMENTS

- 9-1 These Bylaws may be amended by a majority vote of the Warren County Board of Supervisors.

Adopted by the Warren County Board of Supervisors: _____

**BY-LAWS OF THE
WARREN COUNTY RAILROAD TASKFORCE**

ARTICLE 1 – PURPOSE OF COMMITTEE

- 1-1 The purpose of the Warren County Railroad Committee (the “Committee”) is to serve as an advisory committee to the Warren County Board of Supervisors. The Committee will work with the County Administrator to make recommendations to the Board of Supervisors to assist with the planning, creation, administration, and implementation of Warren County’s Strategic Railroad Plan.

ARTICLE 2 – MEMBERS

- 2-1 The Committee shall consist of three (3) members, one from each of the County’s Magisterial Districts: Happy Creek, North River, and Shenandoah. Each Supervisor shall appoint one member to the Committee.
- 2-2 Each member shall be appointed for a two (2) year term. For the initial appointment after the formation of the Committee, three (3) members shall be appointed to two-year terms. Thereafter, all at-large members shall hold office for a maximum of four (4) years each, such that the terms of office of the Directors are staggered. Members shall hold office until the successor has been appointed, which successor shall serve the unexpired remainder of that member’s term.
- 2-3 The Warren County Public Works Director or his/her designee shall serve as staff support to the Committee.

ARTICLE 3 – SELECTION OF OFFICERS

- 3-1 The officers of the Committee shall be appointed for a one-year term, with no individual holding an office for more than two consecutive terms without a one year lapse between terms. The Committee shall elect officers each January and fill vacancies as required the intervening months.
- 3-2 Officers of the Committee shall consist of a Chairman and Secretary.
- 3-3 Nomination of officers shall be made from the floor at the beginning of the January meeting for the ensuing year. Election of officers shall follow immediately. A candidate receiving a majority vote of the directors shall be declared elected.

3-4 Terms of office shall be for one year or until a successor takes office. Vacancies shall be filled for an unexpired term by a majority vote of the Committee.

ARTICLE 4 – DUTIES OF OFFICERS

4-1 The Chairman shall:

4-1-1 Develop agenda and preside at meetings.

4-1-2 Report quarterly to the Warren County Board of Supervisors.

4-1-3 Rule on procedural questions (subject to reversal by a majority vote of the directors present).

4-1-4 Certify official documents involving the authority of the Committee.

4-1-5 Certify minutes as true and correct copies.

4-1-6 Carry out other duties as assigned by the Committee.

4-2 The Secretary shall:

4-2-1 Record attendance at all meetings.

4-2-2 Record the minutes of the Committee meetings.

4-2-3 Notify directors of all meetings.

4-2-4 Maintain a file of all official Committee records and reports.

4-2-5 Certify maps, records, and reports of the Committee.

4-2-6 Give notice and be responsible for publishing public notices of all Committee public hearings and public meetings.

4-2-7 Attend to the correspondence necessary for the execution of the duties and functions of the Committee.

ARTICLE 5 – SUBCOMMITTEES

5-1 The Committee may appoint such subcommittees or advisory groups as necessary for the conduct of its work. The Chairman of the Committee shall be an ex-officio member of all such subcommittees or groups.

ARTICLE 6 – MEETINGS

6-1 The Committee shall meet as needed at a time and place determined by the Chairman.

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Adopted by the Warren County Board of Supervisors: _____