



TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, April 11, 2023 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON APRIL 11TH, 2023, AT 9:00 A.M

Regular Meeting

Work Session

PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. Brett Hamby; Mr. Jay Heroux; Mr. William Semple Mr. Paul Mooney; Mr. David McGuire; Mr. Tommy Cureton, Acting Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Olaun Simmons, Town Attorney.

ABSENT

Mr. James Hartman, Vice Mayor

Regular Meeting

PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. Brett Hamby; Mr. Jay Heroux; Mr. William Semple Mr. Paul Mooney; Mr. David McGuire; Mr. Tommy Cureton, Acting Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Olaun Simmons, Town Attorney

ABSENT

Mr. James Hartman, Vice Mayor

WORKSESSION - 9:00 AM

The Mayor Called the meeting to order at 9:00am. A quorum was present, and business could be conducted. The mayor stated that Councilmen Heroux was on his way but running late and that Vice Mayor Hartman would not be in attendance this morning.

1. Closed Session

- 1) As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Discussion, consideration, or interviews of prospective candidates for employment or appointment; OR assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with Interim Town Manager Appointment

2) As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to Speed Limits in the Town

Councilmen Hamby moved to convene a closed session as permitted by Virginia Councilmen McGuire Seconded. There was no discussion on the motion.

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent: Mr. James Hartman, Vice Mayor.

Upon reconvening at 10:18 AM from the closed session, Councilmen Hamby moved to adopt the following Certification of Closed meeting:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council

Councilmen Mooney seconded, there was no discussion on the motion. The vote for the motion was unanimous, as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent: Mr. James Hartman, Vice Mayor

2. **Acquisition of Real Property- Horse Show Grounds**

Acting Town Manager Tommy Cureton Introduced the topic. He stated that the topic was for information only with a decision being hopefully reached in May. Mr. Cureton stated that the Town had begun the process of exploring options to purchase the Warrenton Horse Show Grounds. The Historic Warrenton Horse show grounds, home to the longest operating horse show in the nation, has been discussing the potential sale with the Town

since early 1990. The Horse Fair Grounds consist of two parcels of land totaling 9.57 acres. The grounds are zoned residential and consist of a maximum of 37 lots. The Property is within Ward Three, half a mile from the nearest access to the Greenway and .75 Miles from the nearest Public Park. The Horseshow grounds typically brings over 4,000 visitors per year to Warrenton and is an important link in the economy of Warrenton.

Mr. Cureton further explained that the Town is committed to continuing the equine uses of the property, he described the use of the grounds as the Horse show association hosts two full scale horse shows on the property occurring around Labor Day and Memorial Day each year. As was mentioned earlier, in the early nineties, the association expressed an interest in partner partnering the property with the town while continuing its tradition of two annual horse shows.

He explained that since the 90's, td discussions had stalled thought the Town's interest in helping the association preserve the property's historic legacy has not wavered.

He continued stating the benefits of the potential purchase as well as the impact of park use due to the pandemic and the ability to utilize the space with alternative locations for the farmers market or other special events held by the Town.

He stated that Staff would move forward seeking a decision from the Council in May and outlined how the park would be incorporated under the Parks and Recreation department. Additionally, he outlined how the park would be maintained and the history of what steps had been taken by staff at the direction of the Council to bring this item before them. He highlighted some of the issues of the grounds that would require major repairs or demolition to address ADA issues, Structural Issues, and compliance issues noted in the staff report.

Mr. Cureton added that negotiations were ongoing with the seller regarding the necessary repairs and would be finalized before bringing the item back to the Council in May.

Councilmen Semple inquired about the cost of maintenance for the grounds,

Mr. Cureton responded that the costs would be \$1.6 Million for the purchase of the grounds, a \$10,000 increase to the budget for park maintenance, \$14,000 for a survey that has been initiated, and that the Town has received a grant from the Virginia Outdoors Foundation for \$100,000 for the purchase or use of the facility. He also addressed some of the costs of the renovations to the existing structures on the property.

Councilmen Semple inquired about the terms of the Leas back to the seller.

Mr. Cureton responded that a lease was being negotiated by Mr. Crim for the use of the grounds. He added that staff would not be setting up the jumps and items for the hose show under the agreement.

Mr. Mooney asked why the Horse Show was considering selling the grounds and if they intended to move the show.

Mr. Cureton responded that the reality of the situation is if the horse show association so chose, it is zoned for residential. They could sell it to a developer, and they could construct on 37 lots right there. But they don't intend to sell to developers as they've been here since 1920.

Discussion from the Council continued on the zoning of the park, the use, and potential negotiations with the seller as well as the potential future uses and layout of the park.

Mr. McGuire asked for a more detailed history of the proposal before the Council.

Mr. Cureton answered questions regarding operating costs, initial costs and necessary maintenance improvements to the facility.

The mayor instructed staff to add the item to New Business for further discussion at the evening session and to invite the owners of the Horse Show Grounds to attend the meeting and answer questions from the Council.

3. Speed limits of 15 mph Streets Within the Town Limits Study Review

Chief Timothy Carter introduced the topic. He explained that a speed study had been conducted in Town by Kittelson and Associates to address speed limits on multiple streets. The chief highlighted what the data from the report was showing and gave details on various streets. He explained that staff requested direction on the will of the Council regarding the current posted speed limits on each of the 14 streets evaluated in Kittelson's study.

Councilmen Heroux requested clarification on if the report supported the roads currently signed at 15Mph remained signed at the speed limit.

Chief Carter explained that the report showed that the speeds were signed correctly the way they were, but the Council could change the limits based on the desired outcome of the posted speed limit. He explained the data and how the reports were necessary under the State Code for enforcement as well as the downsides to potentially changing the posted limits.

Mayor Nevill summarized the consensus from council to keep the streets posted at 15mph with a clarification of Faulkner Ave to see it as 15mph all the way through because of the park.

The Chief elaborated on the necessary requirements of the State code with the addition of the presumed 25mph roads to enable enforcement of the zones.

Councilmen Heroux requested suggested that additional measures may be necessary on some roads to ensure that traffic slows down.

4. Health Center Agreement Update

Ms. Kasey Braun, Human Capital Manager, introduced the topic. She mentioned that Staff was still in negotiations with the County. She added that the County was currently making improvements to the building, and they anticipated the renovations to be completed by July.

Mr. Cureton added that the County planned to open the facility for operation on July 1st, but at that point the Town would not have full use of the facility as contract negotiations were ongoing.

Mayor Nevill inquired as to the required actions of the Council and if it would be to sign off on the agreement.

Mr. Cureton confirmed the mayor's question.

5. Town Council Ethics Statement

Mr. Cureton introduced the topic stating that the statement had been previously introduced to the Council and that the requested information and examples from the Town of Leesburg and the Virginia Department of Professionalism and Occupation regulation code of ethics was provided. He continues stating that this ethics piece was a part of the ongoing discussion regarding the Town Council Handbook that staff were awaiting feedback on from the members of Council. He stated that Staff will continue their work on the handbook while awaiting updates from the Council and the final draft would be brought forward in the next few months. He stated that no action was being requested of Council at this time.

The Council confirmed that updates, changes, and suggestions regarding the handbook and the ethics statement could still be submitted to staff.

Councilmen Semple commented that the current code of ethics was written in 2016 but modified in 2020. He also requested additional examples of Codes of Ethics from Fauquier County.

6. Biannual Goals

Mr. Cureton introduced the topic stating that the discussion began at the Fall strategic retreat. He stated that the intention of the Biannual Goals is to bridge the gap and lay the pathway to successfully accomplish the goals laid out in the Comprehensive Plan.

Mr. Cureton introduced a proposed draft of the biannual goals.

Mayor Nevill explained to the new councilmembers that a strategic retreat would be held in the fall which would allow the Council an opportunity to review the biannual goals and the implementation as the staff beings the budget process in October.

Councilmen Heroux inquired if the proposed goals would affect the budget presented.

Mayor Nevill explained that the goals identified in the strategic retreat were implemented in the current budget process and that the goals before Council were a biproduct of those goals and the next steps moving forward.

Councilmen Heroux discussed the metrics that would be evaluated against within the goals to ensure that they are being met.

Mr Cureton explained that the metrics were built into the budget to be measured against.

7. **Agenda Review**

Mr. Cureton reviewed the budget with the Council. He introduced Rob Walton, Director of Community Development, to introduce the Public Hearing.

BLA 2022-3 187 Linden Street Boundary Line Adjustment.

Mr. Walton explained that there was a work session on this item in August of 2022 and that the owners of the parcel, Carolyn and Scott Shafer, were seeking a requesting a boundary line adjustment between the Town of Warrenton and their property known as 187 Linden Street. Approval of the request would result in the dedication of a 10-foot-wide strip of property to the Town (615 square feet) in exchange for a 1,178 square foot portion of the Washington Street right-of-way. The portion of right-of-way allows the existing house to be legal conforming to setbacks. The dedication to the Town will allow for fee simple access to existing Town Utilities.

Mr. Walton showed the Council an arial view of the parcel and explained what parts of the property would be boundary line adjusted. He surmised that by allowing the boundary line adjustment, it would actually make the house or the structure conforming right now legally non-conforming because it doesn't meet setbacks.

Mayor Nevill stated that the item would continue with the public hearing at the evening session.

Mr. Cureton continued reviewing the agenda noting that there was a proposed Resolution designating Hunter Diggs as the fire official, property maintenance official and provisional building official.

Mr. Walton added that Mr. Diggs had taken the first of three certification tests for building official certification about a week and a half ago and that the certification was proceeding well.

Mr. Cureton continued reviewing the agenda.

Mr. Semple proposed an amendment to the agenda a resolution to Amendment text Amendment to our zoning ordinance that would provide no development activity involving the site plan may begin until such site plan is approved. He mentioned that he was bringing forward this proposal in response to the Amazon Data Center site cutting down trees on the property before the site plan has been approved.

Olaun Simmons, the Town Attorney stated that discussion regarding the legality of the proposal could be held in closed session.

Mr. Semple stated that a Closed session on the next month agenda to discuss this would suffice.

The mayor directed staff to add that item to the next agenda with a closed session for discussion.

8. Fiscal Year 2023-2024 Budget Presentation

Ms. Stephanie Miller, Finance director, introduced the proposed Fiscal Year 2024 Budget. She continued explaining that staff has spent the last eight months renewing our focus on playing more in ten, 2040 and aligning our plans and actions with the council's mission, vision and values. The budget was developed based on the feedback that we heard from Council during the fiscal retreat and what we see here in these statements.

Ms. Miller advised that at the fiscal retreat, the Human Capital Manager highlighted the need for funding to address human capital needs. The result of this analysis was a recommendation to shift some of this funding to cover the classification and compensation results, and to provide a balance of cash and debt funding for general fund capital. Another suggestion for Council was the lowering of the fund balance policy to address those needs if desired. She added that staff had also reviewed the CIP.

The largest aspect of the CIP is the water and sewer program. The Council received a presentation in December that noted the age of the facilities and provided an overview of the planned projects to address deferred maintenance. The CIP has been provided to our rate study consultant and they continue to work with our financial advisors to plan the rates and the issuance of debt so as to properly fund the necessary projects and to balance that with potential rate increases.

Ms. Miller elaborated that she called this to Council's attention because the rates in the budget are preliminary and could be adjusted based on their work, which will be presented to the council in May. She reminded Council that when staff budgeted our revenue for 23, we were still very conservative in that estimate because we didn't know how the economy would respond coming out of COVID. So many of our larger revenue sources are now projected to come in higher than the budget.

This includes sales, bank franchise tax, meals, tax, lodging, tax, interest revenue and WARF charges. She explained that finance is seeing lower revenue for some of the smaller categories of cigarette tax permits and fines. Staff has also anticipated expenditure savings due to the nature of capital projects. Staff needs the entire amount budgeted, but they typically span at least two fiscal years.

Ms. Miller explained that the Town used some ARPA funding in FY 23 that alleviated some of the burden from the general fund and highlighted other impacts on the general fund and the proposed FY24 budget.

Ms. Miller continued that the proposed budget would cause the general fund to fall below the 9.3 million policy threshold of 50% and added that adjusting the policy to 45% would cover the discrepancy.

She next focused on the key enhancements for FY 24, in the human capital area. The last class and Comp study was conducted in 2015, which resulted in a stagnation of the pay scale for the Town. Ms. Kasey Braun, the Human Capital Manager, has reviewed the preliminary results and recommendations of the latest study with you at the fiscal retreat, and that council agreed with those recommendations. As such, that has been included in the budget. The total cost is a little over \$1 million across all funds. There is also a proposed change in the date of the merit increase that would normally happen on July 1st. That change would be closer to the employee's actual receipt of their evaluation each year.

Former Interim Town Manager Mr. Martino recommended that staff implement the change to the date of the merit increase this year to April 1st instead of July 1st. Then, as of next fiscal year, move it permanently to January 1st. This year, the first year of implementing that change to January 1st, it will actually be a savings since we would normally do it on July 1st.

Ms. Miller continued noting that there was no health insurance rate increase this year and that staff had programmed a vacancy savings for the first time. She elaborated that this is done by a lot of Northern Virginia localities and that she had tracked our budget to actual for personnel expenditures back to 2014. She explained that the Town consistently sees savings of roughly 94% to 95% of the budget year over year as there are always some vacancies. She added that this was programmed in the general fund only because the general fund is the largest fund for the town with roughly 80% of the employees are in the general fund.

Ms. Miller elaborated on the changes made to the internal service funds to increase transparency, tracking, and understandability.

The presentation continued with a review of the general fund projects and the changes to the CIP that have been identified by staff to address the maintenance and condition of the facilities that was presented to council in December.

She explained to the Council that in FY23 so that we may ensure continuous and effective operation of the system for its users the Council issued \$5.15 Million in debt which will be used to fund these projects in addition to ARPA funds that have been set aside. Davenport and NewGen will be presenting proposals to the Council in May to discuss funding for other large-scale projects. She then reviewed the storm water fees and projects.

Ms. Miller reviewed the proposal to eliminate the \$25 Motor Vehicle License fee. She elaborated on how the revenue would be maintained with various examples.

Ms. Miller explained that the next steps in the budget process be adopting the real estate tax and personal property tax by May 14th as stated by the Town Code. Adding that that adoption could be done at the May 9th Town Council Meeting. She also reviewed additional work session dates that Staff had made available if the Council wished to hold another work session.

The Town Council decided to hold an additional work session on the budget on April 26th, 2023, at 6:30pm and directed staff to facilitate that meeting.

Mayor Nevill encouraged all members of the Council to meet with Ms. Miller with any budget questions they had.

Councilmen Semple requested to review the remaining ARPA funds.

Mr. McGuire requested a breakdown of the requested roles as well as a breakdown of the Police Department staffing.

Mr. Heroux requested analysis of the impact of inflation on the budget.

The mayor thanked Ms. Miller and requested that Council forward her all of their questions so that she and staff may address them.

Mayor Nevill thanked the Staff and Council for the morning session and concluded the meeting at 12:29pm.

REGULAR MEETING - 6:30 PM

INVOCATION.

Tim Vance of the Amissville Full Gospel Church led the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Nevill Led the Pledge of Allegiance

CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: April 11th, 2023		
Name	Address	Topic
David Winn	7960 Wellington Dr. Warrenton	Amazon Permits
Diane Roteman	280 Gay Road, Warrenton VA	Speed Limits

APPROVAL OF THE AGENDA.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Councilmen Hamby was to approve the agenda.

Seconded by Councilmen Heroux.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent: Mr. James Hartman, Vice Mayor.

The motion passed unanimously; the agenda was approved.

PUBLIC HEARINGS.

1. BLA 2022-3 187 Linden Street Boundary Line Adjustment

Mayor Nevill introduced the Topic.

Councilmen Mooney inquired as to the purpose of the Town owning the land in the triangle area located behind the adjustment.

Mr. Walton indicated that there were utilities on that parcel and that this adjustment would allow the Town to access the utilities from its own property.

The Public hearing was opened at 6:40pm.

No one spoke at the public hearing.

The Public hearing was Closed at 6:40pm.

Public Hearing: BLA 2022-3 187 Linden Street Boundary Line Adjustment		
Name	Address	Organization or Individual

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmen Hamby was to approve BLA 2022-3 187 Linden Street Boundary Line Adjustment

Seconded by Councilmen Mooney

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent: Mr. James Hartman, Vice Mayor.

The motion passed unanimously; BLA 2022-3 187 Linden Street Boundary Line Adjustment was approved.

CONSENT AGENDA.

1. The 2022 Planning Commission Annual Report as required by Virginia State Code is presented “to the governing body concerning the operation of the commission and the status of planning within its jurisdiction.”
2. A Resolution announcing a Special Meeting on the Fiscal Year 2024 Budget and the potential acquisition of real property in Town limits.
3. **APPROVAL OF COUNCIL MINUTES.**
 1. October 11th, 2022: Regular Town Council Meeting Minutes
 2. February 10th, 2023: Special Town Council Meeting Minutes
 3. February 22nd, 2023: Special Town Council Meeting Minutes
 4. March 1st, 2023: Special Town Council Meeting Minutes

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmen Heroux was to approve the Consent Agenda.

Seconded by Councilmen Hamby.

The vote was as follows:

Ayes: *Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.*

Nays:

Abstention:

Absent: *Mr. James Hartman, Vice Mayor.*

The motion passed unanimously; the Consent agenda was approved.

NEW BUSINESS.

9. Acquisition of Real Property- Horse Show Grounds

Mr. Cureton introduced the topic to the Council. He elaborated that staff had worked diligently throughout the day to answer the questions from Council. He added that staff have added the item to the special meeting on April 26th to allow more time to answer the questions more thoroughly and completely. He added that Councilmen Hamby was able to invite a representative from the Horse Show Grounds and introduced Mr Tommy Jones.

Mr. Tommy Jones, the manager of the Warrenton pony show and Warrenton horse show, addressed the Council. He explained that the horse show grounds entered into this agreement with the Town in response to pressure from the nursing home being built behind the grounds, adding that they knew nothing about it until it was a done deal. Mr. Jones explained that the grounds were a valuable piece of property that the organization would like that to remain in Town as is in perpetuity. He advised that the Organizations views this purchase as a partnership with the Town and that they will support the show at the location going forward. He added that it is difficult these days to run a one ring horse show and that most shows are much larger with 5-6 rings and 1,500 horses. While the grounds don't have the space to facilitate that, you can't move the Warrenton horse show anywhere else and expect it to be the Warrenton Horse show. He offered to answer questions from the Council.

Mr. McGuire requested a list of board members form the Horse Show grounds and what it would take in terms of membership to facilitate the sale.

Mr. Jones answered that it would only take a majority vote by the Board of Directors and that they have not yet had offers to purchase the grounds from others. He elaborated on the history of the grounds.

The Council discussed additions to the contract to retain the Warrenton Hose show on the grounds as well as other possibilities and uses for the location.

Mr. Jones explained the idea of a passive park where people could enjoy the grounds while the Horse Show association still maintained the rings and facilities for the Horse show.

Mr. Mooney requested a list of the members that would financially benefit from the sale.

Council discussed language revolving around the Horse Show Grounds continuing to operate on the grounds for the years to come.

Mr. Herou summarized that the Horse Show Association has been operating and for some reason the business models changed, and the Association wants to do something different with that property. He asked Mr. Jones if the intent was that the associations wanted to see that land protected as an asset to the community to enjoy and for the horse community to continue to use.

Mr. Jones confirmed.

Mr. Heroux spoke in favor of the transaction.

The Council discussed their history with the grounds and the show and options for the park in the future.

Mayor Nevill thanked Mr. Jones and called the transaction a win for not only the Town of Warrenton, but also the residents of Fauquier.

10. Appointment of an Interim Town Manager

Mayor Nevill introduced the topic stating that While Mr. Cureton has been fulfilling the duties of the Acting Town Manager, he wished to resume his duties as the Director of Parks and Recreation. He thanked Mr. Cureton for both his service prior to the appointment of Mr. Martino and in his absence as well. He declared that Mr. Cureton held the reigns firmly with great authority and that the Council appreciated his efforts.

Mayor Nevill stated that Mr. Frank Cassidy has duly offered to step up from within the Staff to serve as the Interim Town Manager through the upcoming fiscal year or until a new Town Manager is appointed once the Council reconvenes the search.

Mr. Cassidy addressed the Council and thanked them for the opportunity to lead this dynamic team looking to do great things for this Town. He thanked Mr. Cureton for getting the team to where they are and Mr. Martino for helping to stabilize and lay our goal to continue this momentum. He said that he was looking forward to the opportunity and looking forward to a hopefully unanimous vote.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Councilmen Heroux To appoint Frank Cassidy as the Interim Town Manager for the town Of Warrenton, Virginia.

Seconded by Councilmen McGuire.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent: Mr. James Hartman, Vice Mayor.

The motion passed unanimously; Frank Cassidy was appointed the Interim Town Manager for the Town of Warrenton Virginia.

11. A Resolution designating Hunter A. Digges as the Fire Official, Property Maintenance Official, and Provisional Building Official

Mayor Nevill thanked Mr. Diggs for his professionalism and marked his dedication and efforts of his training.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Councilmen Heroux to designate Hunter A. Diggs as the Fire Official, Property Maintenance Official, and Provisional Building Official

Seconded by Councilwoman Sutphin.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent: Mr. James Hartman, Vice Mayor.

The motion passed unanimously; Hunter A. Diggs was designated as the Fire Official, Property Maintenance Official, and Provisional Building Official.

UNFINISHED BUSINESS.

None.

TOWN ATTORNEY'S REPORT.

Mr. Olaun Simmons shared a result of a Virginia Supreme Court Case Berry Vs. The Fairfax County Board of Supervisors. The Board of Supervisors had adopted an ordinance at a virtual meeting that was in conflict with the emergency ordinance that they had previously adopted. The court held that because it was held as an all-virtual meeting, the ordinance they adopted was invalid. This does not affect the Town at this time but it is something that the Attorney's are keeping an eye on.

Mr. Mooney requested an update on the Walmart case.

Mr. Simmons responded that there was not an update yet but would reach out when there was.

TOWN MANAGER'S REPORT.

Mr. Cureton offered a shot out to the public works and facilities team with their reaction to a fire at the WARF. He noted that the Parks and Rec team sprang into action with the activation of the EAP and that the follow-up after from Mr. Switzer and the facilities team has been second to none.

Mr. Cureton stated that he was excited to return to the Staff and thanked the Council for the support they have shown him over the last nine months.

Mr. Cureton offered congratulations to Mr. Cassidy. He stated that he has been fortunate to work with Frank for the last 2 and 1/2 years, and his professional approach and integrity epitomize the values that make this Town great. He added that he could speak for all of Town staff in saying that Frank has our complete support, and we look forward to his leadership in the coming year. Thank you all.

COUNCILMEMBERS TIME.

Mr. Mooney: Congratulated Mr. Cassidy on his appointment. Congratulated Mr. Diggs on his designation and thanked the citizens for coming out and putting in the effort to come out. He thanked Tommy for the effort and flexibility of being in and out of the Town Manager position.

Ms. Sutphin: Congratulated Mr. Cassidy adding that he would do a wonderful job. She congratulated Mr. Diggs and Mr. Cureton. She mused that she had never heard a Town Employee say, "That's not my job". She thanked the Staff explaining that many of our employees go far beyond what they're ever called to do. And it's usually with a smile. It's a huge team full of people who never say, "it's not my job". She said that she was proud of the work they've done and of the efforts of the employees in the Town. She thanked the Staff and said she was proud of the work that Frank and Tommy had done. She told Vice Mayor Heartman that our prayers are with you.

Mr. Semple: Congratulated Mr. Cassidy, adding that he already appreciated how direct he was. He encouraged the citizens present in the evening session to go back and watch the morning session as a lot of the substance of the conversations happen at those meetings. Those work sessions show how the Council arrives at the decisions they make. He added a personal plug that his wife and the Master Gardeners are having an event on Earth Day at Town hall from 1-3pm with demonstrations, a raffle, and speakers. He concluded that he looked forward to working with Mr. Cassidy.

Mr. Hamby: Stated that he echoed his fellow Councilmembers, Tommy, thank you, Frank Congratulations, and Hunter, Congratulations He thanked the Horse Show ground Association for joining this evening and thanked as always, the citizens who came to the meetings. He added that when the pipe broke at the WARF, he thought it was bad by the email but when he drove to the parking lot it really showed it was bad. He was impressed by the response from the Staff to

the incident and expressed gratitude to the hard work and efforts made by the team to reopen the facility.

Mr. Heroux: Confirmed with the Mayor that the direction from the Council on the speed limits was to post the roads at 15mph for consistency among the connecting streets. He thanked Tommy for the great job that he did as Town Manager. He congratulated Mr. Cassidy and Mr. Diggs, adding that he was looking forward to working with them. He explained that he was excited about the energy and momentum that the Town had. He thanked the Chief and Frank for the efforts they've made on speeding already and urged the citizens to slow down around Town. He Echoed Mr. Hamby regarding the staff efforts with the water main break at the WARF and the other numerous breaks around Town. He stated that it was the efforts of Staff when the water main breaks in the middle of the night and the freezing cold trying to close the pipe. He added that the Town had some old infrastructure, and it was up to the Staff to keep it maintained. He added that there were a lot of individuals who suffer from homelessness, abuse, and addiction and to keep them in your prayers.

Mr. McGuire: He spoke on the budget process and the variables that need to be looked at by the Council to address a target that would fall a year from now. He encouraged the members of the audience to read the minutes and watch the videos from the earlier session to be informed. He also encouraged citizens to get involved with their local Government. He thanked the staff and on the Dias for the work that was done today.

Mr. Nevill: Echoed the congratulations for the promotions, acknowledgements, resolutions and response to the break at the WARF. He thanked Tommy Cureton for the relationship that he has had working together, noting that he rose to the challenge and served admirably. He added that he was looking forward to continuing to work with him as he advocated for the Parks and Recreation Department.

ADJOURNMENT.

With no further business, this meeting was adjourned at 7:28 PM on Tuesday, April 11th, 2023.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on April 11th, 2023.

Stephen M. Clough
Town Recorder

Attachments:

- 1) Handouts to Council from Citizen's time. April 11th, 2023.
- 2) Citizen Comment Emails and form submissions.
- 3) Signed legislation.

Draft: Not yet adopted by the Town Council.



The Town of Warrenton
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Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

April 11th, 2023 Regular Town Council Meeting
Minutes

Attachment 1: Handouts to Council from Citizen's
time. April 23, 2023

Draft: Not yet adopted by the Town Council.



The OAKS SDP-22-8

Draft: Not yet adopted by the Town Council.



The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

April 11th, 2023 Regular Town Council Meeting
Minutes

Attachment 2: Citizen Comment Emails and form
submissions.

Draft: Not yet adopted by the Town Council.

From: "Mike Yeatman" <[REDACTED]>
Sent: Fri, 24 Mar 2023 21:37:13 +0000
To: "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Subject: Are you enforcing the Amazon Data Center SUP provisions???

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

From what I can see, you are not! And you remain silent on this topic. Very, very alarming. Please do something about it.

Thank you.

Draft: Not yet adopted by the Town Council.

From: "Andrea Steegmayer" <[REDACTED]>
Sent: Mon, 10 Apr 2023 11:17:15 0400
To: "" <citizencomment@warrentonva.gov>
Subject: Bats and trees

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

I am ashamed to hear what this town has allowed to happen and is complicit in! Shame shame on all of you!!! It is disgusting to know Dollar signs is all that matters ! All of you should be fired in the spot without severance pay or anything!!!

What gives you all the right to destroy this habitat and not follow the rules? Why do you think you above it ? If we do not follow the rules then we get fined.

I am so angry and frustrated !!!!!!!!!!!!!!!

Everyone there draws a big salary paid by residents and you all disregard all the rules!

D... everyone of you! You have done irreparable damage and you all should go!

You all should not even be allowed to resign

A. Steegmayer

Sent from my iPhone

Draft: Not adopted by the Town Council.

From: "Kay Dunleavy" <[REDACTED]>
Sent: Fri, 24 Mar 2023 14:44:10 0400
To: "" <citizencomment@warrentonva.gov>
Subject: Amazon disregard for SUPs

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

As our representatives in this disturbing situation, it falls upon you to ensure that this arrogant behemoth respects the rules of our beloved town and county. We ask that you see to it that they do not ignore the Special Use Permit requirements that keep our town and county beautiful and our lands protected. It is outrageous that this project has been approved in the first place. A travesty to the town of Warrenton and to all of us who cherish our country charm way of life here.

Draft: Not adopted by the Town Council.

From: "Michael Bruck" <[REDACTED]>
Sent: Tue, 14 Mar 2023 15:09:47 +0000
To: "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Subject: SUP 2022 03 data center vote and maladministration liability
Attachments: The community recognizes only as invalid and unrepresentative
of the will of the community the Town Council.docx

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

Draft: Not yet adopted by the Town Council.



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April 11th, 2023 Regular Town Council Meeting
Minutes

Attachment 3: Signed legislation

Draft: Not yet adopted by the Town Council.

April 11, 2023
Town Council
Regular Meeting

A RESOLUTION ANNOUNCING A SPECIAL MEETING ON THE FISCAL YEAR 2024 BUDGET AND THE POTENTIAL ACQUISITION OF REAL PROPERTY IN TOWN LIMITS

WHEREAS, the Town Council received the Fiscal Year 2024 Budget on March 31st, 2023; and

WHEREAS, at the April 11th, 2023, Town Council work session the budget was reviewed with potential dates for additional work sessions; and

WHEREAS, The Town Council reviewed the budget information and the information presented on the potential acquisition of real property; and

WHEREAS, the Warrenton Town Council wishes to hold a special meeting on April 26th, 2023 at 6:30 PM; and

WHEREAS, the Warrenton Town Council wishes to receive an update to questions on the potential acquisition of real property in Town limits regarding the Warrenton Horse Show Grounds; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby will hold a Special Meeting on the Fiscal Year 2024 budget and receive updates from the Staff on the Potential Acquisition of Real Property for the Horse Show Grounds;

BE IT FURTHER RESOLVED that the Town Council Directs Staff to advertise for the special meeting.

ATTACHMENT:

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Absent from Meeting: Mr. James Hartman, Vice Mayor.

For Information:

Town Manager
Town Clerk

ATTEST: _____


Town Recorder

April 11, 2023
Town Council
Regular Meeting
Res. No. From Clerk

A RESOLUTION DESIGNATING HUNTER A. DIGGES AS THE FIRE OFFICIAL, PROPERTY MAINTENANCE OFFICIAL, AND PROVISIONAL BUILDING OFFICIAL

WHEREAS, Hunter Digges was promoted to the position of Code Enforcement Inspector/Fire Inspector on February 21, 2022 with the Department of Community Development; and

WHEREAS, Mr. Digges passed his property maintenance inspection certification course on May 13, 2022 ; and

WHEREAS, Mr. Digges received the Property Maintenance Official Certification from the Commonwealth of Virginia on May 18, 2022; and

WHEREAS, on February 9, 2023 Mr. Digges passed his fire inspection certification exam and is recognized by the Commonwealth of Virginia as a Fire Official; and

WHEREAS, on February 17, 2023, Mr. Digges was sworn in by the Clerk of the Circuit Court of Fauquier County to faithfully and impartially discharge and perform all the duties incumbent as Fire Inspector for the Town of Warrenton, Virginia pursuant to the Code of Virginia Title 27-34.2; and

WHEREAS, Mr. Digges has begun pursuing the exams required to become certified as a Building Official by the Commonwealth of Virginia; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby designates Hunter A. Digges as the Town of Warrenton Fire Official, Property Maintenance Official, and Provisional Building Official.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Absent from Meeting: Mr. James Hartman, Vice Mayor.

For Information:

Town Clerk

Town Attorney

ATTEST: _____



Town Recorder

FORM MOTION FOR CONVENING A CLOSED MEETING April 11th, 2023.

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

As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Discussion, consideration, or interviews of prospective candidates for employment or appointment; OR assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with **Interim Town Manager Appointment**

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

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

As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to: probable litigation involving _____ [Give subject]; OR the pending case of _____ [Give case name], where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.

As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to **Speed Limits in the Town**

As permitted by Virginia Code § 2.2-3711 (A)(29), discussion of the award of a public contract for [Give nature of the contract] involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.

As permitted by Virginia Code § 2.2-3711(A)(19). a matter involving: _____

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

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Absent from Meeting: Mr. James Hartman, Vice Mayor.

Draft: Not for Adoption by the Town Council.

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:

(requires a recorded roll call vote)

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

Votes:

Ayes: Mr. William Semple; Ms. Heather Sutphin; Mr. Brett Hamby; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Absent from Meeting: Mr. James Hartman, Vice Mayor.

For Information:

Town Clerk

Effective date: April 11th, 2023

Stephen Clough, Town Recorder



Draft: Not yet adopted by the Town Council.

April 11th, 2023
Town Council
Regular Meeting

A RESOLUTION APOINTING FRANCIS G. CASSIDY AS THE INTERIM TOWN MANAGER FOR THE TOWN OF WARRENTON, VIRGINIA

WHEREAS, pursuant to Town Charter Section 6-1 the Town of Warrenton is required to appoint a Town Manager; and

WHEREAS, Tommy Cureton was appointed as the Acting Town Manager on February 26th, 2023, for a forty-five day term; and

WHEREAS, Tommy Cureton's appointment as the Acting Town Manager was extended on March 14th, 2023 to extend through April 11th, 2023; and

WHEREAS, the Acting Town Manager's term expires on April 11th, 2023, thus creating a vacancy; and

WHEREAS, an Interim Town Manager is needed to fulfill the position until a new Town Manager is selected; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby is hereby appointing Francis G. Cassidy as the Interim Town Manager for the Town of Warrenton, Virginia, through June 30th, 2024, or until a new Town Manager is appointed.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Absent from Meeting: Mr. James Hartman, Vice Mayor.

For Information:

Town Clerk

Town Attorney

ATTEST: _____



Town Recorder