



TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, March 11, 2025 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON MARCH 11th, 2025, AT 9:00 AM

Work Session

PRESENT

Mr. Carter Nevill, Mayor; Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Paul Mooney; Mr. Eric Gagnon; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Chap Petersen Town Attorney.

ABSENT

Mr. David McGuire

Regular Meeting

PRESENT

Mr. Carter Nevill, Mayor; Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Chap Petersen Town Attorney.

I. WORKSESSION - 9:00 AM

The Mayor called the meeting to order at 9:00 AM. He stated that a physical quorum was present and that Mr. McGuire would not be present during the morning session but would be present this evening.

The agenda was amended at the request of the Town Manager to move item "H," Emergency Management Update, to the second item following the VDOT presentation. Hearing no opposition, the agenda was modified.

1. Transportation Planning Update from the Virginia Department of Transportation

Ms. Denise Harris, Planning Manager, gave an overview of transportation planning and projects in the Town. She introduced Resident Engineer Mark Nesbitt and District Planning Manager Chuck Proctor, who would give a presentation on various studies and the SMART SCALE applications.

Mr. Chuck Proctor presented an update on Smart Scale applications, the Shirley Avenue pipeline study, and the Metz Road/East Lee Street study. He reported that the Town successfully secured 100% federal funding for the Lee Highway/Branch Avenue shared-use path and intersection improvements, which includes replacing a deteriorating box culvert. The Fletcher Drive corridor

project was not funded this round due to cost-benefit scoring, but Mr. Proctor strongly recommended resubmitting it in the next cycle.

Mayor Nevill asked how aggressive growth in neighboring districts like Culpeper affect Warrenton's funding.

Mr. Proctor clarified that funding is strictly determined by a cost-benefit ratio based on a seven-year congestion forecast, rather than regional aggressiveness.

Mr. Proctor reviewed the Shirley Avenue pipeline study, which recommends roundabouts at Culpeper Street, Carriage House, and the Hospital, along with partial access points at Garrett and Keith Streets, and filling sidewalk gaps.

Mayor Nevill requested consideration for pedestrian-friendly transitions into residential areas.

Councilmen William Semple raised concerns about the platooning effect of traffic from the signalized Alwington Boulevard intersection feeding into smaller roundabouts, expressing worry over future traffic from new commercial developments.

Councilman Eric Gagnon requested that VDOT carefully review the blind spot at the Green Street and Falmouth intersection, as well as the slip lane conflict points at the Walmart entrance.

Mr. Proctor concluded with the Metz/East Lee Street study, noting that while the intersection experiences congestion, it currently lacks the high crash data required to score well for Smart Scale funding. He presented a hybrid roundabout concept but noted the estimated cost is now between \$12 million and \$15 million.

Ms. Harris added that the Town is looking into interim road diet solutions for the corridor.

2. Emergency Management: Columbia Gas of Virginia Natural Gas Emergency

Johnny Switzer, Emergency Coordinator, provided an update on the March 5th natural gas emergency, caused by an over-odorization issue that triggered multiple 911 calls and evacuations. He reported that the Emergency Operations Center (EOC) was activated within the first hour, bringing together Town, County, and VDEM resources. Mr. Switzer stated the Town will seek full reimbursement from Columbia Gas for the operational costs and disruptions incurred and requested authorization to finalize a VDEM interagency agreement.

Mr. Aaron Bakey, Vice President of Gas Operations for Columbia Gas, apologized for the incident. He confirmed there was no gas leak or breach of the system; rather, the mechanical odorant injection system introduced an excessive amount of mercaptan.

Ms. Katrina Jones Robleski, Director of Public Affairs, acknowledged significant communication gaps during the initial hours of the incident and committed to improving emergency messaging.

Councilmen Gagnon expressed deep concern that it took customer reports to identify the failure, noting the lack of an internal alarm system for over-odorization. He strongly urged Columbia Gas

to utilize direct-to-customer app alerts in the future and advocated for an independent third-party investigation to accurately assess the incident.

Councilmen Semple questioned the safety of undetected underlying gas leaks in older homes that were only discovered due to the excess odorant.

Councilmen Paul Mooney asked if the excess odorant caused pilot lights to extinguish, which Columbia Gas Director of Systems Operations Tim Bealer confirmed, explaining that the rich mixture triggers safety shutoffs in appliances.

Mayor Nevill requested that Columbia Gas commit to holding a public community meeting within the next two weeks to answer residents' questions directly. Ms. Robleski agreed to coordinate the meeting with Town staff.

3. Planning Commission Update

Mr. Frank Cassidy, Town Manager, stated there was no Planning Commission Update as they had not met this month. He reminded Council that there is still a seat available for a Council member on the Planning Commission

4. Proposed Budget Discussion

Ms. Brooke Campbell, Budget Manager, presented the preliminary FY 2026 combined budget summary, noting that staff must deliver a balanced proposed budget to the Council by April 1. She reported that current revenues fall short of operating expenditures by approximately \$800,000 for the General Fund. The Town Manager has reviewed all departmental requests and concluded that any further reductions to the General Fund operating budgets would result in a direct reduction of town services.

Attachment 1 Discussion - Outside Funding Overview

Ms. Campbell presented a summary of outside funding requests from various agencies.

Councilwoman O'Halloran requested staff to check if Fauquier County also contributes to these same agencies to avoid duplication of taxpayer funding.

Mr. Cassidy noted that while the Council can review these items, outside funding represents only 0.1% of the total budget, and cutting it completely would not solve the Town's long-term structural deficit.

Attachment 2 Discussion - Legal Expenses

Staff sought input from the Council on anticipated legal expenses for FY 2026.

Ms. Campbell noted that the Town has spent approximately \$278,000 year-to-date through February.

Attachment 3 Discussion - Real Estate Tax Bill Examples

Ms. Campbell outlined real estate tax revenue scenarios, noting that each one-cent increase on the real estate tax rate provides an estimated \$200,000 in additional revenue for the General Fund. The scenarios presented included maintaining the current 4-cent rate (average annual bill of \$183.50), raising it to 5 cents (resulting in an average bill of \$275), or raising it to 7 cents (resulting in an average bill of \$320).

Attachment 4 Discussion - Example of Possible Sanitation Fee

Ms. Campbell presented a scenario for a new sanitation fee designed to cover refuse and recycling costs. An annual sanitation fee of approximately \$175 per household (about \$15 per month) would generate an estimated \$700,000 in revenue.

Councilmen Francis questioned whether the fee revenue would go directly into the General Fund or be separated into an Enterprise Fund.

Mr. Cassidy clarified that establishing an Enterprise Fund would likely be the cleaner administrative option to ensure the fees are isolated and directly support sanitation operations.

Attachment 5 Discussion - General Fund Capital and Maintenance Projects

Ms. Campbell reported that there are currently no new capital projects that would trigger the need for Planning Commission review. She stated that the proposed Capital Improvement Program (CIP) document will be delivered to the Council alongside the proposed operating budget on April 1.

Unassigned Fund Balance Review

Councilman Semple raised concerns regarding the Town's unassigned fund balance, asking why it has dropped to 34%, which falls below the Town's adopted 50% policy goal.

Ms. Stephanie Miller, Director of Finance, presented slides explaining the fund balance and the policy. She clarified that the FY 2024 unassigned fund balance ended in compliance at 52%. However, the projected ending balance for FY 2025 is 36% because a significant portion of the balance has been reclassified as committed or assigned to fund ongoing capital projects that carry over into the next year.

Budget Strategy and Cuts Discussion Councilman Mooney expressed his strong belief that the deficit should be addressed with "meaningful cuts" to the budget before the Council considers tax increases or new sanitation fees. He suggested that the Council hold a special work session dedicated specifically to reviewing budget line items.

Mr. Cassidy agreed to the special meeting, noting that having these detailed, collaborative discussions is the exact purpose of the budget process.

Water, Sewer, and Stormwater Funds

Ms. Campbell concluded the presentation by noting that FY 2026 is Year 3 of the planned rate increases prescribed by the water and sewer rate study. This rate increase will generate approximately \$2 million, allowing the Town to cash-fund critical capital projects rather than taking on increased debt. The stormwater management fund is stable and projected to remain flat compared to FY 2025.

RECESS

Mayor Nevill called for a recess at 12:18 PM for a lunch break. The Council reconvened the work session at 1:00 PM and moved to the next item on the agenda.

5. Main Street

Concept, Design, Parklets, Sidewalk Café

Mr. Frank Cassidy, Town Manager, and Mr. Michael Wharton, Project Coordinator, presented concept plans for the VDOT revenue-sharing Main Street improvement project.

Mr. Wharton explained that the project, originally planned to run from Courthouse Square down to Calhoun Street, had to be scaled down due to significant cost escalations. The current agreed-upon scope now extends from Court Street to Fifth Street.

Two design concepts were presented to the Council for consideration:

- **Concept A** features standard sidewalk bump-outs at intersections to maintain existing parking spaces.
- **Concept B** features an extended sidewalk that would pull the pedestrian area all the way out to the roadway edge, eliminating some parking spaces to create a permanent, wider sidewalk area.

Councilman Mooney raised a concern regarding the loss of parking spaces under Concept B, specifically noting the negative impact it could have on citizens with limited mobility who need to access downtown.

Mr. Cassidy addressed this concern, stating that while some spaces on Main Street would be lost, the Town plans to offset this by gaining additional parking spaces during the upcoming reconfiguration of the 21 Main Street lot behind Town Hall.

The discussion then shifted to the temporary parklet program. Mr. Cassidy stated that the temporary wooden parklets put in place in the parking spaces during the COVID-19 pandemic ("Rollout Warrenton") did not meet minimum ADA, fire access, or traffic collision safety standards. Because that temporary program was officially ended in November, he explained that the Town would need to draft and pass a brand-new ordinance establishing strict design standards to authorize them again.

Councilman Mooney and Councilman Semple strongly urged the Council to find a way to allow the parklets to return. They emphasized the overwhelming popularity of the parklets among residents and the vital revenue they generated for Main Street businesses, arguing they should be permitted at least until the heavy construction on Main Street actually begins.

In comparing the parklets to the proposed permanent designs, Councilman Semple pointed out a distinct difference with Concept B: while the new extended brick sidewalks would be wider, the Town's Sidewalk Café rules would require the tables to be placed directly next to the buildings. He noted this prevents patrons from sitting out in the sunshine, which was a major draw of the parklet structures.

Following the discussion, the Council directed staff to explore a safe, temporary compromise (such as utilizing M-rated bollards) and to investigate drafting an ordinance that might allow businesses to utilize the spaces until construction begins.

7. Arrington Voluntary Settlement Agreement

Mr. Roy Barnett, representing Van Meter Companies, delivered a presentation detailing the Arrington project's three-year timeline, emphasizing the developer's transparency and adherence to County and Town requests. He noted that the project density was reduced to 270 units (including 16 affordable units), the southern ridge line was protected with open space easements, and over \$1 million in school proffers were committed.

Mr. Barnett also clarified that road alignments were intentionally designed to prevent Arlington Boulevard from becoming a bypass, though it will be expanded to four lanes up to the commercial boundary to mitigate school traffic.

Councilman Gagnon expressed frustration with the procedural history, stating that the Town's Planning Commission was deliberately bypassed during the Voluntary Settlement Agreement (VSA) process, stripping them of the opportunity to shape the Planned Residential District (PRD) zoning to better suit Warrenton's affordable housing needs.

Councilman Semple echoed these concerns and asked Mr. Barnett if Van Meter would support a motion to defer the VSA ordinance for four months to allow the Town Planning Commission to conduct a formal review and hold public hearings.

Mr. Barnett responded that while they would respect the Council's decision, their strong preference is to proceed with the current agreement.

8. Water Sewer Capacity Commission Discussion

Mayor Nevill reported that Councilmembers O'Halloran and Francis held a preliminary meeting with Mr. Steven Friend, Director of Public Utilities, regarding water and sewer capacity projections. Based on that meeting, it was concluded that there is no immediate need to form a separate formal commission. Councilmembers O'Halloran and Francis will continue to act as liaisons and report back to the committee as a whole as the Town reviews its utility assumptions and zoning density updates.

9. Agenda Review

Mr. Cassidy reviewed the items for the evening's regular meeting, which include a recognition of the Youth Arts Commission, Ordinance 25-01 finalizing Snow Emergency Routes, the ordinance repealing the execution of the Voluntary Settlement Agreement, and a Consent Agenda featuring ZOTA 25-1 (removing data centers as a permissible use). Additionally, he requested Council's consensus to immediately transition a vacant part-time Water Treatment Plant position to full-time to address critical staffing shortages. The Council expressed no opposition, and the item will be officially added to the next month's agenda while human resources processing begins.

The meeting was adjourned at 1:51 p.m.

With no further business, this meeting was adjourned at 1:51 PM on Tuesday, March 11th, 2025.

II. REGULAR MEETING - 6:30 PM

Mayor Carter Nevill called the regular meeting of the Warrenton Town Council to order at 6:30 PM. All members were present, establishing a quorum to conduct business.

INVOCATION.

Ms. Vellanda Harris, Chaplain at Fauquier Hospital, led the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Nevill led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITIONS.

A Proclamation Recognizing March, 2025, as Youth Art Month in the Town of Warrenton, Virginia.

Ms. Carla Cole, Lead Art Teacher for Fauquier County at Auburn Middle School, requested that the Mayor proclaim March as Youth Art Month. She promoted the ongoing art walk on Main Street and the upcoming Fine Arts Festival at Liberty High School.

Ms. Emily Alfaro, a student from Liberty High School, was recognized for her artwork displayed in the chambers, noting her piece was a Monet-inspired African safari painting.

Mayor Nevill read the proclamation officially recognizing March 2025 as Youth Art Month in the Town of Warrenton, emphasizing the importance of art education in developing problem-solving skills, critical thinking, and multicultural awareness.

Mr. Frank Cassidy, Town Manager, presented the "Excellence in Action" recognitions. He announced the hiring of Jacqueline Padilla as a Visitor Center Specialist and Jennifer Storch as the new Head Guard at the WARF. He congratulated Seth Cannonier on his promotion to Superintendent of Public Utilities, replacing Rick Grigsby who retired after 35 years of service.

Mr. Cassidy recognized Lauren Kruk for completing event management school and becoming a certified festival and events associate. Finally, he commended the collaboration of Parks and Rec, Facilities, Public Works, and Community Development for restoring the Eva Walker Park overlook following an ice storm and for hosting a highly successful pop-up sledding and hot chocolate event at the WARF.

CITIZEN'S TIME.

Mr. Alexander Dyle, representing Ellie's Place, spoke strongly in favor of maintaining the Main Street parklets on a continuous, permanent basis. He noted that the parklets dramatically increase revenue for both restaurants and retail shops, citing a recent \$6,000 sale at Hartman Jewelers directly resulting from visitors sitting outside. He also stated he was unaware of any safety accidents caused by the parklets.

Mr. Raheed Ibrahim, a Ward 4 resident, thanked the current Town Council for fighting the growth of data centers. He recalled the previous council's approval of the Amazon data center and the lack of transparency surrounding it. He praised the current council for acting on the voters' mandate to stop big tech companies, replace the town attorney, establish an open government commission, and reintroduce a zoning ban on future data centers.

Mr. Joe Washington, representing First Baptist Church, addressed a financial burden regarding a gas line built under their church 27 years ago, seeking relief or assistance from the Town for replacement costs. He also inquired whether the Town or the property owner is responsible for snow removal on the sidewalks. Mayor Nevill clarified that property owners are responsible for clearing the sidewalks in front of their properties.

APPROVAL OF THE AGENDA.

Councilman Larry Kovalik moved to approve the agenda as presented. Councilman Roy Francis seconded the motion

Motion to approve the agenda.

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Abstention:

Absent:

PUBLIC HEARINGS.

a) Ordinance 2025-01 Snow Emergency Routes

Mr. Cassidy introduced the ordinance, explaining that it updates and clarifies the Town's snow emergency routes to capture all main arterials, including East Lee Street, Keith Street, and Carriage House Lane. He stated that this ordinance provides the Town with the official authority to enforce parking restrictions and tow vehicles during declared snow emergencies.

Mayor Nevill opened the public hearing at 6:58 PM. No citizens signed up to speak regarding the ordinance. Mayor Nevill closed the public hearing at 6:59 PM.

Councilman Paul Mooney asked for a review of the procedures during a snow emergency.

Mr. Cassidy explained that the Town monitors weather events, posts notices on social media and in the paper 12 hours in advance, and provides a 3-hour window for residents to move vehicles. Law enforcement officers actively attempt to contact vehicle owners to avoid towing. Crews prioritize clearing these main arterials before moving to collector streets and subdivisions.

Councilwoman O'Halloran made a motion to approve the ordinance, seconded by Councilman Kovalik.

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Abstention:

Absent:

Ordinance 2025-01 Was passed unanimously.

b) An Ordinance Repealing Ordinance 2024-17 which authorized the execution of a Voluntary Settlement Agreement between the town of Warrenton and Fauquier County.

Mr. Cassidy provided a brief introduction, noting that the ordinance presents the Council with options to stay the course, delay, or change direction regarding the Voluntary Settlement Agreement (VSA) currently headed to a three-judge panel.

Mayor Nevill opened the public hearing at 7:07 PM.

Mr. Roy Barnett, representing Van Meter Companies, requested that his slide presentation from the afternoon work session be entered into the public record.

Ms. Margaret Strano spoke against repealing the VSA. As a county resident on town water, she argued that the housing development will be built regardless of annexation. She stressed that the Town would be foolish to walk away from millions of dollars in proffers, a new \$5 million pump station, a 25-acre commercial parcel, and 16 affordable housing units.

Ms. Wanda Baker spoke in favor of repealing the VSA, questioning why the County would hand over prime business land to the Town. She expressed severe concerns regarding traffic congestion, school overcrowding, and the Town's water and sewer capacity.

Ms. Michelle Shropshire expressed opposition to the development near her home on Leeton Court. She raised concerns regarding minimal buffer areas, tree removal, potential liabilities from flood zones near Leeton Lake, and future road and water connections impacting her community.

Mr. Barnett responded to Ms. Shropshire's concerns, assuring the Council that the Arrington project is downstream from Leeton Lake and will have no effect on it. He also offered to remove the proposed stub street connection to alleviate the neighborhood's concerns.

Mayor Nevill closed the public hearing at 7:17 PM.

Councilman William Semple moved to approve Ordinance 2025-02 (repealing the VSA) with an amendment to the "Whereas" clauses, stating the Town wishes to defer the VSA for four months to allow the Town's Planning Commission to thoroughly review the zoning changes and propose modifications before presenting the VSA to the circuit court. Councilman Kovalik seconded the motion.

Councilman Eric Gagnon supported the repeal, arguing that the original VSA process bypassed the Town Planning Commission and ignored citizen input.

Councilman Kovalik agreed, emphasizing that the Town is adopting a Planned Residential District (PRD) zoning it does not currently have and must allow its Planning Commission to review and administer it properly.

Councilwoman O'Halloran noted that the developer would have gone to the Planning Commission had they been asked, and the Town should not punish the developer for past procedural advice.

Councilman Mooney and Councilman David McGuire strongly opposed the repeal, highlighting the risk of losing \$12 million in proffers, schools funding, and commercial tax base if the developer builds by-right in the County.

Councilman Francis supported the repeal, primarily citing unresolved concerns regarding the Town's water and sewer capacity.

A motion was made by Councilmen Kovalik to approve 2025-02 with the following changes-

WHEREAS, the Town wishes for its Planning Commission to thoroughly review the zoning changes proposed within the VSA, and propose modifications (if any) to the Town prior to the Circuit Court's approval of the VSA;

WHEREAS, the Town no longer desires to present the VSA, as drafted without the Planning Commission's review and recommendations, to the Circuit Court for approval and further action thereon;

Ayes: Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Mr. Eric Gagnon;

Nays: Ms. Michele O'Halloran; Mr. Roy Francis; Mr. Paul Mooney; Mr. David McGuire.

Abstention:

Absent:

After discussion, the motion failed by a vote of four to three. Ordinance 2025-02 was not passed. The Ordinance previously passed in support of the Voluntary Settlement Agreement was not overturned.

CONSENT AGENDA.

Councilman McGuire moved to approve the Consent Agenda as written. Councilman Francis seconded the motion.

Mr. Cassidy clarified that the consent agenda was larger than usual because it included carried-over items from the weather-canceled February meeting. He also clarified that item "m" (ZOTA-25-1) does not formally adopt the zoning ban on data centers, but rather initiates the text amendment process, sending it to the Planning Commission for review.

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Abstention:

Absent:

Police Department Report

Finance Department Report

Community Development Department Report

Parks and Recreation Department Report

Public Works and Utilities Department Report

Capital Improvement Program

Street Maintenance Report

Human Capital

Office of Emergency Management Report

Fleet and Facilities Department Report

Information and Technology Department Report

2024 Planning Commission Annual Report

2024 Board of Zoning Appeals Annual Report

Zoning Ordinance Text Amendment - ZOTA-25-1 - Remove Data Centers as a Permissible Use within the Industrial District. By request of Town Council, staff has prepared a Resolution to initiate a text amendment to Articles 3, 9, and 12 of the Town of Warrenton Zoning Ordinance. This text amendment is for the purpose of removing Data Centers as a Permissible Use within the Industrial District, and therefore make Data Centers an impermissible Use within the Town of Warrenton. Upon approval of this Resolution by Town Council, staff will begin work to prepare a draft text amendment for consideration by the Planning Commission.

Confirmation of Emergency Declaration

The Consent agenda was adopted.

NEW BUSINESS.

Commission for Open and Transparent Government

Councilman Gagnon introduced a resolution to appropriate \$60,000 to appoint Mr. Whitson Robinson as special counsel for the Commission for Open and Transparent Government. He stated that the funds would cover legal fees on a pay-as-you-go basis and third-party forensic IT services to investigate past development projects, primarily the Amazon data center, using subpoena powers.

Councilman McGuire moved to defer the discussion, arguing that spending \$60,000 requires a clear statement of work and that the attorney position should be opened up to multiple applicants for a fair process. Councilman Mooney seconded the motion to defer. Councilman Semple opposed the deferral, stating the commission itself will produce the operational guidelines and criteria. Councilman Kovalik and Councilman Gagnon opposed the deferral, emphasizing the urgent need to restore the public's trust in local government.

Motion to defer

Ayes: Mr. Paul Mooney; Mr. David McGuire.

Nays: Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Mr. Eric Gagnon;
Ms. Michele O'Halloran; Mr. Roy Francis;

Abstention:

Absent:

The motion to defer was defeated 5-2.

Councilman Semple moved to approve the resolution for the appropriation of funds and the appointment of Special Counsel. Councilwoman O'Halloran seconded the motion.

Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Mr. Eric Gagnon; Ms. Michele O'Halloran; Mr. Paul Mooney;

Nays: Mr. David McGuire.

Abstention:

Absent:

Mr. Whit Robinson was appointed as Special Counsel for the Transparency Commission.

UNFINISHED BUSINESS.

- There was no unfinished business.

TOWN ATTORNEY'S REPORT.

Mr. Patrick Corish of Mr. Petersen's firm provided an update to the Council. He reported on the ongoing FOIA email case, stating that out of approximately 3,000 emails reviewed, 2,600 will be disclosed, and 500 will be provided to the opposing party with privilege redactions. He continued stating that the Amazon rezoning trial has been pushed back to February 2026. The firm is preparing to represent the Town's VSA position at the special court hearing on April 24. Three circuit court matters are pending regarding building code violations on historic properties (including 3 Hotel Street and 11 Culpeper Street). The criminal and traffic docket is being outsourced to the Commonwealth's Attorney. Finally, the office is reviewing Planning

Commission bylaws, third-party contracts, and free speech regulations in front of the Fauquier General District Court.

TOWN MANAGER'S REPORT.

Mr. Cassidy announced that the African American Historical Association is purchasing property to move to Warrenton, and the Town is working to provide them with a museum display at Town Hall. He also reported that the first "Your Town" Academy, featuring the Police and IT departments, concludes this week, and the first graduating class will be introduced in April.

COUNCILMEMBERS TIME.

Councilman McGuire - He reflected on the turbulent times the country is facing and warned of difficult economic hardships ahead. He stressed the military principle of "mission first, people always," noting that local government sometimes forgets the people they are affecting. He urged everyone to keep their wits about them, be kind to one another despite political differences, and remember that life is too short to lose sight of humanity.

Councilman Gagnon - He echoed Councilman McGuire's concerns about the economy, predicting that the incoming federal administration will make significant cuts to the federal budget and workforce. He emphasized that this will have a very real and heavy impact on Warrenton, as many residents work directly or indirectly for the federal government. Because of this, he strongly advocated for being fiscally conservative and cutting Town expenses "to the bone" to bridge the projected \$800,000 deficit before the Council even considers raising property taxes or adding new fees like trash pickup.

Councilwoman O'Halloran - She shared that when she first ran for office, she had no idea what it would entail, but praised the Town staff for being absolutely wonderful, responsive, and cooperative in helping her and the citizens. She jokingly stated that the staff are her favorites, "except for Frank [Cassidy]." Echoing the call for kindness, she reminded everyone to be neighborly, noting that many people are secretly going through hard times or job losses, so it is important to be compassionate when encountering someone having a bad day.

Councilman Kovalik - He thanked the students for the beautiful artwork adorning the chambers. He then reminded citizens of their "dual citizenship," explaining that living in Warrenton means they are also in the Center District of the County and the Warrenton Service District. He warned that this comes with heavy infrastructure obligations, particularly regarding water and sewer capacity, which is a precious resource that must be carefully managed to avoid costly fines or expenditures. He urged residents to stay engaged and attend Board of Supervisors and County Planning Commission meetings, not just Town Council meetings.

Vice Mayor Semple - He reflected on the long-term consequences of land-use decisions, noting that a 1980s zoning decision is what recently led to 135 homes being built behind his fence. Looking at the town's future sewer capacity (the Whitman timeline), he questioned what options

the town will have when it inevitably runs out of capacity. He strongly advocated the "Strong Towns" concept—building incrementally from the inside out and preserving the small-town feel by investing in the town's greatest asset: Old Town and Main Street. He stated he is not a fan of simply expanding town borders but stressed that the Town and County must work hand-in-hand to realize a common, sustainable vision for the decades to come.

Councilman Francis - He agreed with the warnings about difficult economic times ahead, noting that people often get too comfortable and fail to appreciate what they have until times get tough. Reflecting on his short time on the Council (noting he has 3 years and 9 months left), he expressed what a profound pleasure it is to represent Ward 1. He encouraged citizens in the audience to get involved and consider running for office themselves, stating that if people knew how the government actually ran, they would be amazed. He joked that at 79 years old, age is clearly not an issue to start serving.

Councilman Mooney - He thanked the students for the artwork, noting that one specific piece brought him to a very peaceful place. He announced that Town staff will be working with Columbia Gas to set up a dedicated public meeting where citizens can directly ask the utility questions about the recent gas emergency. He praised the Town staff for their incredible work in applying for and securing tens of millions of dollars in VDOT grants to improve local roads. After congratulating Seth Cannonier on his promotion and Rick Grigsby on his 35-year career, he reiterated his strong support for bringing back the Main Street parklets, urging citizens to voice their opinions to the Council. He concluded by wishing everyone a Happy St. Patrick's Day.

Mayor Nevill - He commended Town staff, Emergency Management Coordinator Johnny Switzer, and local first responders for their rapid, communicative response to the Columbia Gas emergency, noting they got information to the public much faster than the utility company itself. He assured residents that the Council will continue to hold Columbia Gas accountable. Mayor Nevill then warned against the "cancer of fear" that breeds distrust and division during turbulent times. Regarding town growth, he urged residents to welcome new neighbors into the community rather than viewing them as "the other" ruining the town's character, noting that new residents bring strength, vibrancy, and resilience. He concluded by encouraging everyone to get off their screens, engage face-to-face, support local businesses, and be better neighbors.

ADJOURNMENT.

With no further business, this meeting was adjourned at 8:35 PM on Tuesday, March 11th, 2025.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on March 11th, 2025.

Stephen M. Clough

Town Recorder

Attachments:

- 1) Handouts to Council from Citizen's time. March 11th, 2025.
- 2) Citizen Comment Emails and form submissions.
- 3) Signed legislation.

Draft



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March 11th, 2025, Regular Town Council Meeting Minutes

Attachment 1: Handouts to Council.

DRY

Hello, My name is Margaret (Miggy) Strano, many of you might know me for the volunteer work I do with non profits regarding affordable housing.

But I want to make it clear that for this public hearing I am not speaking on behalf of any organization and my opinions are my own.

I am speaking as a 20 year resident of Fauquier County, and live less than a ¼ mile from the town boundary and pay for town water service. We do not commute outside of the town. We spend the majority of our time and \$ within the less than 5 mile boundary of the town of warrenton. I am invested in this town, and I am invested in our county.

I reviewed the recordings of the past work sessions and public hearing and honestly I am perplexed why we are all here tonight.

It is evident to me and it should be evident to anyone else who reviewed the terms around the annexation that there has been a tremendous amount of work and due diligence by all parties involved FOR YEARS, by the town, the county, the state and the developer to come to an agreement on this annexation.

In fact last year, it was approved 6-1 by the prior town council, with Mr Gagnon being the only NAY

As a county tax payer, I am extremely concerned for ^{the town & county's} our fiscal future - for myself and as well as other residents ^{who are going to be forced out of the place we love. I would like to eventually be able to retire here.}

annexation

they because it's (or it's) unaffordable

~~It~~ ^{clear} it is evident we have a revenue problem at the town and county level. We don't have a beautiful view and rolling hill problem – this is a 651 square mile county, where 10%+ of that land is in service districts like Warrenton, the economic engines of our county.

This housing development is going to be built regardless of whether it is annexed into the town boundary. It is ludicrous to me that the current town council is willing to forego the millions of dollars in proffers which includes a 5million+ pump station, transportation and infrastructure improvements, and a 25 acre commercial parcel which will generate much needed revenue, in addition you will forego having a say in the development of that land which is going to be using all the roads in the town anyway.

And if I put my affordable housing hat on, we will also get 16 affordable housing units, which in our current housing ^{landscape} ~~ensis~~ everything counts.

Those benefits all go away, if this annexation is not approved. Except for the original housing development will stay with no affordable units.

From my industry

So please, let's stop wasting the tax payers money by rehashing these land use decisions that have already been through countless hours of hard work, negotiations, and public hearings, and let's move forward.

Thank you for your service to the town.



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

March 11th, 2025, Regular Town Council Meeting Minutes

Attachment 2: Citizen Comment emails and form submissions.

From: "AZMIR KABILOVIC" [REDACTED]
Sent: Wed, 5 Mar 2025 17:43:01 -0500 (EST)
To: "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Cc: "egagnon@warrentonva.gov" <egagnon@warrentonva.gov>;
"cneville@warrentonva.gov" <cneville@warrentonva.gov>
Subject: March 11 Town Council Meeting Public Hearing
Importance: Normal

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

You don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon,

Since other obligations are prohibiting me from attending the scheduled public hearing meeting on March 11 regarding the annexation of the new development proposed next to the Home Depot, I am submitting my written comment. Please ensure my comment is read and shared with the town council, as this motion is unacceptable to me. We are going backwards instead of focusing efforts on addressing legitimate issues this town is facing, such as road infrastructure, the electrical grid, accessibility, walkability, and many other issues that can improve the citizens' quality of life. My message to the town council is below.

Thank you!

Dear Town Council,

I am writing to express my deepest concern and disappointment with the current direction of this council. Specifically, I am referring to the recent movement to rescind the agreement to expand the town boundaries to include the new development next to the Home Depot, which will impact the Middle School renovation.

This project is crucial as it will bring much-needed upgrades to our town's failing infrastructure. Unfortunately, it seems that some of you prefer to burden us, the taxpayers, with the cost of these improvements to please a special interest group that supported your election, at the expense of our children and the taxpayers.

My children are currently attending an overcrowded school with limited programs and opportunities, while your sponsors enjoy massive tax breaks subsidized by hardworking citizens. These citizens are forced to drive to neighboring counties for employment, all while paying higher tax rates than those in surrounding jurisdictions. My last year's real

estate and personal property tax bill was over nine thousand dollars. What do we get for paying such a high tax?

The town council's mission should be to address these discrepancies and truly represent my children and all other kids who are lacking opportunities due to the politics in this county. The future lies with them, not with us!

I am tired of hearing about traffic concerns and other excuses used to mask the true agenda behind these decisions. I usually do not get involved in politics, but this has gone too far and is directly impacting my children. Enough is enough!

Sincerely,

Kabilovich Family

From: "Ruth Fugee" [REDACTED]
Sent: Sat, 8 Mar 2025 08:49:11 -0500
To: "" <citizencomment@warrentonva.gov>
Subject: Arrington Annexation

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

You don't often get email from ruthfugee@gmail.com. [Learn why this is important](#)

I will be teaching a CPR class on Tuesday evening that prevents me from attending the Arrington annexation hearing, so I am making this public comment. I am in favor of implementing the Strong Town recommendation to pursue infill growth in the center of town in unused and underutilized parcels and buildings, and avoid growth on the periphery of town. I support Plan 2040. The county is welcome to 250 more 4-bedroom, 3-bath, 3-floor McMansions for NoVa commuters. We need a new sewage treatment plant; the pumping station is functional as is. There is no need for VanMetre to hold up the reconstruction of our second middle school.

Thanks for listening.

Ruth Fugee, RN, MSN
298 Roebling Street
Warrenton, VA. 20186
[REDACTED]



The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
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March 11th, 2025, Regular Town Council Meeting Minutes

Attachment 3: Signed Documents- Resolutions, Ordinances, Closed Session Motions

**A PROCLAMATION RECOGNIZING MARCH 2025 AS YOUTH ART MONTH
IN THE TOWN OF WARRENTON, VIRGINIA**

WHEREAS, The study of art leads to a fuller, more meaningful life; and

WHEREAS, Art education provides substantial educational benefits to all elementary, middle and secondary students; and

WHEREAS, Art education develops students' creative potential and improves problem-solving and critical thinking skills by reinforcing and bringing to life what students learn in other subjects; and

WHEREAS, Art education teaches sensitivity to beauty, order and other expressive qualities, and also gives students a deeper understanding of multi-cultural values and beliefs; and

WHEREAS, Art education advances student mastery in art production, art history, art criticism and aesthetics; and


WHEREAS, The National Art Education Association, in conjunction with the Virginia Art Education Association strives to improve the well-being of our communities by upgrading visual awareness of the cultural strengths of Warrenton, Virginia; and

WHEREAS, The residents of our town have joined the Art Education Associations in supporting the youth of our community in their intellectual development through artistic endeavors, and offering support to our committed art teachers; and

WHEREAS, All residents are urged to give their full support to quality school arts programs for our youth; and

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor of the Town of Warrenton hereby recognizes that March 2025 shall be known in the Town of Warrenton, Virginia, as Youth Art Month.





H. E. Carter Nevill
Mayor Town of Warrenton

A PROCLAMATION RECOGNIZING THE WORK OF JERRY O'BRIEN AND DECLARING MARCH 2025, AS IRISH AMERICAN HERITAGE MONTH IN THE TOWN OF WARRENTON, VIRGINIA

WHEREAS, generations of Irishmen and women have helped shape the identity of America, overcoming hardship and strife through strength and sacrifice, faith, and family; and

WHEREAS, the Irish are inextricably linked to the growth of the United States in fields ranging from literature, education and science, to politics, law enforcement and military; and

WHEREAS, the rich and enduring heritage of the Irish people is celebrated across the globe, with Ireland home to 5 million citizens and over 50 million individuals worldwide proudly claiming Irish ancestry; and

WHEREAS, we owe a debt of gratitude to the Irish American inventors and entrepreneurs who have helped define our country as the land of opportunity; and

WHEREAS, the Town of Warrenton expresses gratitude to Mr. Jerry O'Brien, the owner of O'Brien's Irish pub for his dogged dedication to his heritage and history; and

Whereas, Mr. O'Brien and his team, alongside the Ancient Order of Hibernians, have established annual festivals for the celebration of St. Patrick's day which not only brings attention to Irish heritage, but also is a basis for their philanthropic investments in the community; and

WHEREAS, with his dedication to their Irish heritage, Mr. O'Brien and his team began the first St. Patrick's day parade in the Town of Warrenton in 2022, continuing the tradition to this day and calling attention to the Town of Warrenton's Irish residents; and


WHEREAS, in October 1990, the 101st United States Congress passed Public Law 101-418, which established March 1991 as Irish American Heritage Month, and the president issues a proclamation commemorating the occasion each year; and

Whereas, as we celebrate Irish American Heritage Month, we recognize the sacrifices and contributions that generations of Irish Americans have made to build a better America, and we renew the bonds of friendship that will forever tie Ireland and the United States;

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton do hereby recognize the work of Mr. Jerry O'Brien in sharing and honoring his Irish Heritage

BE IT FURTHER PROCLAIMED, that March, 2025, shall be known as Irish American Heritage Month in the Town of Warrenton, Virginia, in honor of the profound contributions of Irish Americans to our nation's history, culture, and prosperity, and in recognition of their enduring spirit, resilience, and dedication to the values of community, hard work, and freedom





H. E. Carter Nevill
Mayor Town of Warrenton

ORDINANCE

March 11th, 2025
Town Council
Regular Meeting
Ordinance 2025-01

ORDINANCE 2025-01
AN ORDINANCE AMENDING ARTICLE III, SECTION 10-63, "SNOW ROUTES—ENUMERATED; POSTING"
WHICH ESTABLISHES SNOW EMERGENCY ROUTES
EFFECTIVE MARCH 11TH, 2025.

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, on December 10th, 2024, the Town Council held a Work Session on proposed changes to the Emergency Snow Routes in the Town; and

WHEREAS, Article III, Section 10-63, entitled "SNOW ROUTES—ENUMERATED; POSTING" of the Town Code of the Town of Warrenton lists the roads subject to regulation of the operation of vehicles on the streets in the town, in the event of snow, sleet, hail, freezing rain, ice, water, flood, high wind or storm or the threat thereof; and

WHEREAS, the Town Council wishes to designate Bear Wallow Road, portions of Carriage House Lane, East Lee Street, Keith Street, Old Broadview Ave., Waterloo Road, and portions of West Lee Street as Snow Emergency Routes to enhance the Town's ability to effectively clear snow and ice from critical roadways during winter weather events; and

WHEREAS, the Town Council conducted a public hearing on March 11th, 2025, upon advertisement notice, properly and duly given; and

WHEREAS, the Town Council desires to adopt this ordinance to modify Article III, Section 10-63, "SNOW ROUTES—ENUMERATED; POSTING"; and

NOW THEREFORE BE IT ORDAINED, by the Warrenton Town Council on this 11th day of March 2025, that Article III Section 10-63 entitled "SNOW ROUTES—ENUMERATED; POSTING IS hereby amended, restated, and readopted on March 11th, 2025, as follows:

Sec. 10-63. Snow routes—Enumerated; posting.

- (a) The streets set out in this section are hereby declared to be snow routes and shall be so designated and posted.
- (b) The streets referred to in the first paragraph of this section are hereby enumerated as follows:
 - (1) Alexandria Pike.
 - (2) **Bear Wallow Road.**
 - (3) Blackwell Road.
 - (4) Broadview Avenue.
 - (5) **Carriage House Lane (Between W. Shirley Ave & Veterans Drive)**

- (6) Culpeper Street.
- (7) East Lee Street.**
- (8) East Shirley Avenue.
- (9) Falmouth Street.
- (10) Frost Avenue.
- (11) Keith Street.**
- (12) Lee Highway.
- (13) Main Street.
- (14) Old Broadview Avenue.**
- (15) Waterloo Road.**
- (16) Waterloo Street.
- (17) West Lee Street (Between Culpeper St and Keith St)**
- (18) West Shirley Avenue.
- (19) Winchester Street.

(Code 1981, § 9-22)

Votes:

Ayes: Mr. Roy Francis; Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Emergency Coordinator
Town Manager



ATTEST:

Town Recorder

March 11th, 2025
Town Council
Public Hearing
Ordinance 2025-02

AN ORDINANCE REPEALING ORDINANCE 2024-17 WHICH AUTHORIZED THE EXECUTION OF A VOLUNTARY SETTLEMENT AGREEMENT BETWEEN THE TOWN OF WARRENTON AND FAUQUIER COUNTY.

WHEREAS, at December 10th, 2025, Regular Town Council meeting of the Town Council of Warrenton, Virginia, a public hearing was held on Ordinance 2024-17 to approve the Voluntary Settlement Agreement between the Town of Warrenton and Fauquier County for the boundary adjustment of Alwington Farm into Town Boundaries; and

WHEREAS, Ordinance 2024-17 titled, *AN ORDINANCE TO APPROVE A VOLUNTARY SETTLEMENT AGREEMENT FOR THE BOUNDARY ADJUSTMENT INTO THE TOWN OF WARRENTON OF APPROXIMATELY 243.87295 ACRES OF LAND BELONGING TO ALWINGTON FARM, LLC, ALWINGTON ESTATES, LLC, HD DEVELOPMENT OF MARYLAND, INC., PADMAJA AND SRINIVAS DASARI, THE FAUQUIER COUNTY SCHOOL BOARD, AND VABFT, LLC, AND CERTAIN ROAD RIGHT-OF-WAY, AS RECOMMENDED BY THE VIRGINIA COMMISSION ON LOCAL GOVERNMENT* was a required ordinance under Va. Code §15.2-3400 in the process for the Voluntary Settlement Agreement ;and

WHEREAS, Ordinance 2024-17 was approved by a 6-1 Vote of the Town Council thereby approving the settlement agreement pursuant to Va. Code §15.2-3400; and

WHEREAS, a Special Meeting, without public input, was held on February 25th, 2025, to discuss the Arrington Development and the Voluntary Settlement Agreement ("the VSA") with a motion being passed to hold a new public hearing at the March 11th, 2025, Regular Town Council Meeting; and

WHEREAS, a public hearing has been legally noticed and advertised for the March 11th, 2025, Regular Town Council meeting; and

WHEREAS, the Town of Warrenton, Virginia, (the "Town"), and the County of Fauquier, Virginia, ("the County") filed a Notice with the Virginia Commission on Local Government of their intention to effect a Boundary Line Adjustment ("BLA") by and between the Town and the County to incorporate into the Town approximately 243.87295 acres of land presently subject only to County jurisdiction (the Adjusted Property") belonging to Alwington Farm, LLC, Alwington Estates, LLC, HD Development of Maryland, Inc., Padmaja and Srinivas Dasari, the Fauquier County School Board, and VABFT, LLC, together with such road right-of-way as may lie within the proposed BLA area; and

WHEREAS, the Town and the County have mutually agreed upon terms and conditions for a boundary adjustment in the VSA pursuant to Va. Code Ann. §15.2-3400, as an alternative to a fully contested litigation to adjust jurisdictional boundaries, and submitted that VSA to the Virginia Commission on Local Government (the Commission) for review and recommendation; and

WHEREAS, the Commission has reviewed the VSA and has recommended its approval of the said BLA and Agreement in its report dated November 2024, a copy of which is incorporated herein by reference as Exhibit A; and

WHEREAS, a civil action for approval of the VSA has been filed with the Circuit Court of Fauquier County, pursuant to Va. Code Ann. § 15.2-3400, and a three-judge panel has been appointed to hear that Petition which is scheduled for adjudication on April 24, 2025;

WHEREAS, the Town wishes for its Planning Commission to thoroughly review the zoning changes proposed within the VSA, and propose modifications (if any) to the Town prior to the Circuit Court's approval of the VSA;

WHEREAS, the Town no longer desires to present the VSA, as drafted, drafted without the Planning Commission's review and recommendations, to the Circuit Court for approval and further action thereon;

NOW THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Warrenton, Virginia, as follows:

1. The aforesaid Whereas clauses are incorporated herein by reference.
2. The Town Council hereby does not consent to the acceptance of the Adjusted Property into the Town's corporate limits consistently with the VSA upon the terms stated in the VSA..
3. The Town Council hereby does not agree to the terms and conditions as set forth in the VSA, a copy of which is separately attached hereto and incorporated herein by reference as Exhibit A, and authorizes the execution thereof by the Mayor or his designee.
4. The Town Council hereby directs the Mayor, Town Manager, and Town Attorney, together with the Fauquier County Attorney, to convene and provide this information to the Circuit Court, i.e. the three-judge panel, and, if feasible, take what steps as may be necessary so as to (i) modify the VSA so as to be mutually acceptable to all interested parties per Section 15.2-3400 and (ii) present said modified VSA to the Circuit Court for approval. If modification is not feasible, then the Town Attorney is instructed to oppose further action of any judicial nature recognizing the VSA.

Votes:

Ayes: Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Mr. Eric Gagnon.

Nays: Mr. Roy Francis; Ms. Michele O'Halloran; Mr. David McGuire; Mr. Paul Mooney.

Absent from Meeting:

For Information:

Town Attorney

The Ordinance 2025-02 Failed 4-3

ATTEST: _____



Town Recorder

Resolution

**March 11, 2025
Town Council
Regular Meeting
RES-25-03-01**

A RESOLUTION TO INITIATE ZOTA-25-1, A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLES 3, 9 AND 12 TO REMOVE DATA CENTERS AS A PERMISSIBLE USE WITHIN THE INDUSTRIAL ZONING DISTRICT

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Warrenton Town Council (Hereinafter "Council") may, by ordinance, amend, supplement, or change the regulations of the Zoning Ordinance of the Town whenever the public necessity, convenience, general welfare or good zoning practice may require such an amendment; and

WHEREAS, such an amendment may be initiated by resolution of Council in accord with the procedures and requirements of Section 11-3.9 of the Zoning Ordinance; and

WHEREAS, on August 10, 2021, Council approved a Zoning Ordinance Text Amendment to Articles 3, 9 and 12, case number ZNG 2021-0321, to add Data Centers as a Permissible Use within the Industrial District with the approval of a Special Use Permit by Council; and

WHEREAS, Council now finds that a Data Center is a Use that does not further the health, safety and welfare of the public, nor does a Data Center Use promote public necessity or public convenience within the Town of Warrenton; and

WHEREAS, Council hereby directs staff to prepare a text amendment for consideration by the Planning Commission to remove Data Centers as a Permissible Use within the Industrial District, and therefore render Data Centers as an impermissible Use within the municipal boundaries of the Town of Warrenton; now, therefore, be it

RESOLVED, by the Warrenton Town Council this 11th day of March, 2025, that Council hereby initiates a text amendment to Articles 3, 9 and 12 to remove Data Centers as an allowable Use.

Votes:

Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director,
Town Attorney

ATTEST: _____


Town Recorder

A RESOLUTION CONFIRMING THE DECLARATION OF LOCAL EMERGENCY

WHEREAS, on February 10th, 2025, Governor Glenn Youngkin declared a state of emergency in the Commonwealth of Virginia based on National Weather Service forecasts indicating a severe winter weather threat with snow accumulations of 6 – 10 inches along with sleet, ice, freezing rain, and temperatures below freezing for several days that could cause transportation difficulties and power outages; and

WHEREAS, the National Weather Service has issued a Winter Weather Warning beginning 11:00 AM Tuesday, February 11, 2025, for the Town of Warrenton, forecasting 6 – 10 inches of heavy snowfall, sleet, and ice accumulation; and

WHEREAS, the disruption in transportation routes threatens the delivery of public safety services and goods to citizens and businesses, requiring additional personnel, equipment, and personnel to be available; and

WHEREAS, on February 11, 2025, at 11:00 AM under the Code of Virginia § 44- 146.19 Powers and duties of political subdivisions, and § 44-146.21 Declaration of local emergency, a local emergency exists in the Town of Warrenton, Virginia.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that during the existence of said emergency, the powers, functions, and duties of the Emergency Manager and Emergency Management Coordinator of the Town of Warrenton shall be those prescribed by State law and the ordinances, resolutions, and approved plans of the Town including town code section Sec. 20-6. - *Emergency powers*, in order to mitigate the effects of said emergency, including:

- All Town of Warrenton assets are hereby ordered to be placed at the disposal of the Town Manager or Emergency Management Coordinator
- All Town regulations prescribing procedures for the conduct of Town business, if strict compliance would hinder necessary action in coping with the emergency, are hereby suspended. Suspension of such procedures shall be at the direction of the Town Manager or designee.
- All employees of the Town are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations, and directives – state and local.
- All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and emergency responders in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officials.

BE IT YET FURTHER PROCLAIMED, by the Town Council of Warrenton Virginia this day, March 11th, 2025, That the Declaration of Local Emergency made by the Town Manager on February 11th, 2025, is hereby confirmed.

ATTACHMENT: None

Votes:

Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Absent from Vote:

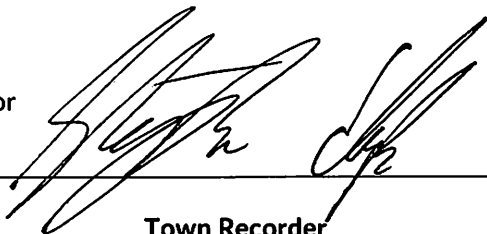
Absent from Meeting:

For Information:

Town Manager

Town Emergency Coordinator

ATTEST:



Town Recorder

March 11th, 2025
Town Council
Regular Meeting
RES-25-03-03

**RESOLUTION FOR APPROPRIATION OF FUNDS AND APPOINTMENT OF SPECIAL COUNSEL TO THE
WARRENTON COMMISSION ON OPEN AND TRANSPARENT GOVERNMENT**

WHEREAS, the Town Council of Warrenton ("the Council") is the governing body of a municipal corporation in the Commonwealth of Virginia pursuant to Subtitle I and Subtitle 2 of Virginia Code §15.2-100, et. seq.; and

WHEREAS, on January 14th, 2025, the Council, pursuant to Va. Code §15.2-1409, established the Warrenton Commission on Open and Transparent Government ("the Commission"); and

WHEREAS, the primary delegated function of the Commission is to conduct discovery on and review of selected development applications, and of particular interest is Special Use Permit 22-03 issued on February 14, 2023 issued to Amazon Web Services, and

WHEREAS, the Commission's investigation will require knowledge of and experience in both local government and development projects so as to form a discovery plan and gather information, including electronic and other necessary records; and

WHEREAS, Section 15.2-1409 authorizes the governing body of a locality to (i) seek the attendance of witnesses and production of records to provide evidence under oath and (ii) apply to its Circuit Court for a subpoena or subpoena duces tecum so as to order that production if it is not produced voluntarily; and

WHEREAS, per Section 15.2-1409, the Town through the offices of the Town Attorney is authorized to appoint outside counsel to support the goals of the Commission; and

WHEREAS, the above work of the Commission requires the appropriation of funds to discharge its duties, such as those expenses, including legal fees and costs, undertaken to obtain discovery on those selected development applications; and

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

WHEREAS, on June 11, 2024, the Town Council adopted the Town of Warrenton Fiscal Year 2025 Budget; and

WHEREAS, Va. Code §15.2-2507 allows any locality to amend its budget and appropriate funds without publishing legal notice of a meeting and a public hearing, provided that the new appropriation amount does not exceed one percent (1%) of the total expenditures shown in the currently adopted budget

NOW, THEREFORE, BE IT RESOLVED, that this 11th day of March, 2025, the Warrenton Town Council hereby amends the Fiscal Year 2025 Adopted Budget to appropriate \$60,000 from the General Fund Balance for the appointment of special Council for the Warrenton Commission on Open and Transparent Government; and

BE IT FURTHER RESOLVED BY THE TOWN COUNCIL THAT:

1. That the Town Council hereby authorizes an appropriation of \$60,000 (including \$10,000 to retain a third-party expert in information technology) to retain the legal services of Whitson W. Robinson, attorney, of the Robinson Law Firm;
2. That, with the concurrence of the Town Attorney, Mr. Robinson will serve as Special Counsel to the Commission, reporting directly to the Town Attorney;
3. That Mr. Robinson will be responsible for conducting legal discovery for the Commission, subject to authorization by the Commission and approval by the Town Attorney;
4. That this appropriation represents the maximum budgeted amount covering legal services under this Resolution which shall extend for a period of twelve (12) months from said authorization, with actual legal expenses to be billed on a monthly basis;
5. That if the total cost for services falls below the maximum budgeted amount (\$60,000), then the Town will only pay for actual fees billed to the Town

ATTACHMENT:

Votes:

Ayes: Mr. Roy Francis, Mr. William Semple, Vice Mayor; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney.

Nays: Mr. David McGuire

Absent from Vote:

Absent from Meeting:

For Information:

Town of Warrenton Commission on Open and Transparent Government

ATTEST: _____


Town Recorder