



Office of the Town Manager
Frank Cassidy

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STAFF REPORT

Council Meeting Date:	February 13 th , 2024.
Agenda Title:	St. Leonard’s Farm
Requested Action:	Remove, and satisfy, the “Deed of Gift” restriction at the wastewater plant
Department / Agency Lead:	Town Manager
Staff Lead:	Frank Cassidy, Town Manager

EXECUTIVE SUMMARY

In 1988 a Deed of Gift was finalized between Mr. Van Roijen, as property owner and representative of St. Leonard’s Farm, and the Town of Warrenton. The deed was to provide land to the Town for use of the wastewater treatment facility. The deed-restricted operations of the plant to 2.5 MGD.

Over the years, as the plant was undergoing studies for required replacement and repairs, studies were conducted for the capacity and capability of plant operations. These studies continued to recommend the plant be modernized to handle 3.0 MGD.

The plant operates under a required DEQ permit which currently restricts the plant to 90% of the permit maximum of 2.5 MGD. Given the restrictions of the permit, the plant, based on several studies and recommendations throughout the years, will exceed this permitted maximum; therefore, the permit must be upgraded to 3.0 MGD, with a 90% maximum outflow (2.7 MGD).

To increase the permit requirements, modernize the plant for effective and efficient operations, and to provide the expected capacity needs of the plant, we must increase our operations to 3.0 MGD. To do this, we must satisfy the existing “Deed of Gift.” To satisfy the deed, the Town engaged in an appraisal that met all minimum requirements outlined in the deed as necessary for consideration of lifting the deed and presented this to M. Van Roijen. This year, Mr. Van Roijen accepted the conditions of release, and we are proceeding with releasing the deed.

BACKGROUND

Deed restriction-

Deed Book 1035 Page 2041 (attached) calls out the commitment to pay St. Leonard’s Farm 1.5 times the value of 8 buildable lots (pages 11-12). This attachment also contains the Court Order where a survey of the WARF property was boundary line adjusted into the Town of Warrenton. Mr. Van Roijen previously owned the WARF property as well.

STAFF RECOMMENDATION

Proceed with the required steps to release the Deed of Gift for \$1,500,000.00.

Service Level/Collaborative Impact

This will provide a clear path for required maintenance and modernizations to the WWTP to ensure safe, healthy, and effective wastewater treatment in the Town.

Policy Direction/Warrenton Plan 2040

COMMUNITY FACILITIES GOALS

CF-1: Serve as the central inviting public service center for Town and County residents with a proportionate share of community.

services provided by other governments, including a fair and reasonable balance in funding sources for community facilities.

CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for their responsiveness, community trust, and effectiveness.

CF-3: Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections.

CF-4: Ensure healthy, safe, and adequate water and wastewater services.

CF-5: To provide a fiscally responsible infrastructure that maintains a high quality of life for residents, supports current businesses, **and attracts new employers with a stable tax structure.**

Fiscal Impact

\$1,500,000.00- \$1,000,000.00 has already been appropriated; require additional \$500,000.00 of ARPA funds be appropriated for the requirements of the satisfaction and release of the Deed of Gift.

Legal Impact

Legal has been actively engaged in the process including review of all documents.

ATTACHMENTS

1.