



TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, February 13, 2024 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON FEBRUARY 13, 2024, AT 9:00 AM

Work Session

PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire; Mr. Eric Gagnon; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

ABSENT

Regular Meeting

PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire; Mr. Eric Gagnon; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

ABSENT

I. WORK SESSION - 9:00 AM

The Mayor called the meeting to order at 9:00 a.m. A quorum was present, and business could be conducted.

The Mayor stated that Councilwoman Sutphin would be arriving late today.

Mayor Nevill noted that Councilmember Semple would be joining the meeting remotely. He asked Mr. Semple to state his location and reason for remote participation.

Councilmember Semple stated that he was located at his home and would be attending remotely due to medical reasons.

A. EOTW Annual Update

Joelle Fryman, Executive Director of EOTW, introduced the topic. She provided an update to the Council.

Councilmember McGuire asked whether parking issues were event-driven or seen on a daily basis with spikes during events.

Ms. Fryman said that parking issues spiked during events, but they were only perceived and were really the result of way finding and signage problems. She noted that there was a potential grant opportunity that would help conduct a feasibility study regarding way finding, signage, and pedestrian traffic. She explained that they intended to incorporate the Town's parking map into the EOTW website and perform more educational outreach. She said that the Town had a lot of parking, but people did not know where it was.

Councilmember McGuire asked if they had considered installing public restrooms downtown.

Ms. Fryman said that it was not something they had considered until the current study, and it was on the schedule for discussion.

Councilmember McGuire suggested that they should get more information regarding business owner feedback on the impacts of public restrooms.

Ms. Fryman said that she could add that to the survey. She noted that while there were no public restrooms, many businesses had restrooms that they allowed customers to use.

Councilmember Mooney requested information about the total number of parking spaces. Mr. Cassidy said that staff could follow up with the information.

Vice Mayor Hartman asked what infrastructure meant in terms of business owner concerns regarding "dysfunctional and/or deteriorating infrastructure".

Ms. Fryman said that infrastructure was mainly referring to sidewalks. She explained that walkability was a concern for businesses, and they did not want to move into spaces with walkability concerns. She explained that the main issues businesses had with sidewalks related to unevenness and accessibility, and most were concerned about the potential for injuries.

Councilmember Semple asked how business owners perceived housing issues. Ms. Fryman said that business owners noted concerns about affordability and space. She said that housing in Old Town would be beneficial by creating a local customer base for businesses.

Ms. Fryman continued the presentation.

Councilmember Gagnon said that local merchants had expressed interest for print and radio promotions to attract business from Northern Virginia. He asked if there had been any consideration of establishing a promotional budget.

Ms. Fryman said that there had been, and they were considering looking into it after they completed their strategic planning. She said that they wanted to develop a marketing plan for EOTW that promoted the community. She said that as they diversified their funding sources, they would have more capacity for marketing.

Councilmember Mooney asked if EOTW collaborated with the County Economic Development Department. Ms. Fryman said that was an item in their strategic plan. She noted that she planned to set up meetings to figure out how to collaborate further.

Mr. Cassidy replied that in regards to Councilmember Mooney's question about parking spaces, there were about 660 parking spaces in parking lots, and over 560 street parking spots. He stated that he would forward the studies to Council.

Councilmember Semple asked how EOTW was addressing facade and storefront development to create a picturesque Old Town image.

Ms. Fryman responded that they passed on available resources to property owners and business owners. She noted that there were grants available for facade development, and EOTW was working to make the grant information more accessible through their website.

B. IT Department Overview

Jonathan Stewart, Director of Information & Technology, introduced the topic. He provided the Council with an overview of the IT Department. He described the role of the IT department and the focus of the department over the next few years of modernizing software to create a more resilient, prepared, and effective workforce. He explained the implementation of an ERP system to modernize antiquated software that left the Town vulnerable to inefficiencies, missed opportunities, and security concerns. He described an emerging relationship between the Town and Fauquier County as they started utilizing the Town Hall dais area for their Board of Supervisors meetings.

Councilmember Gagnon asked when they could anticipate bringing the ERP system online and when they could expect needing financial commitment.

Mr. Stewart replied that they were in the early stages of a needs assessment, but he hoped to development a timeline within the next few months.

Councilmember Gagnon asked what the benefits were of an ERP system and what it would allow staff to accomplish that they could not do now.

Mr. Stewart said that they wanted to focus on modernization, as they were relying on software from 1996, and they were using a typewriter as recently as 2019. He said that all departments would realize benefits from a modernized software package.

C. Finance Department Overview

Brooke Campbell, Budget Manager, introduced the topic.

Ms. Campbell provided an overview to Council of the FY25 budget process. She outlined the steps already taken by staff and what the Council could expect over the coming months.

Ms. Stephanie Miller, Director of Finance, provided an overview of the Finance Department to Council.

D. Acquisition of Real Property – Horse Show Grounds

Frank Cassidy, Town Manager, introduced the topic. He provided a brief summary of the item to Council. He outlined the history of the Town attempting to buy the Horse Show Grounds and the current status of the Deal. He requested that the Council consider a resolution to direct staff to stop negotiations on the property and redirect the remaining ARPA funds to the Wastewater Treatment Plant, St. Leonard's Farm and the infrastructure.

Mayor Nevill confirmed that there was consensus from Council to include the item on the consent agenda for today's meeting.

E. Affordable Housing RFI – Conclusion

Frank Cassidy, Town Manager, introduced the topic. He provided a brief summary of the item to the Council. He noted the history of the topic including former Councilmen Heroux's draft of the request for information, the timeline, requirements of the RFI and the results. He stated that the only project that met all of the qualifications was the Habitat for Humanity project and they would be receiving the funds.

Councilmember Mooney asked if the other applications were close enough that the Town could work with them with the additional ARPA funds freed from the Horse Show Grounds.

Mr. Cassidy answered that there were none based on the requirements set in the RFI. He stated that only three were located in the Town, and only two were close to being shovel ready. He noted that none were able to use the funds by the timeline set by ARPA.

Councilmember Mooney asked if a portion of these funds could be allocated for the septic remediation grant program.

Mr. Cassidy replied that they considered the current grant funding sufficient, and they wanted to first determine how effective the grant would be.

Members of the Council thanked Mr. Cassidy for the work done on this item and the preparations of the Staff for the Council meetings. They discussed additional infrastructure needs within Town including Haiti Street and safety.

F. Septic Remediation Grant

Denise Harris, AICP, introduced the topic. She provided a brief summary of the item to the Council. She explained of a septic remediation Committee formed in 2021 of citizens and Councilmembers Hamby and Hartmand and their mission to identify what properties in town that currently had septic systems and identify grants that could be used to help them connect to

public sewer. The Committee successfully applied for a grant under ARPA and will receive funds for this purpose.

Council Thanked the committee for their work.

Councilmember Semple asked what the plans were to provide sewer and water connections to neighborhoods that did not have the existing infrastructure.

Mr. Cassidy answered that it fell under their standard plan to complete infrastructure improvements across the board. He stated that the timeline depended on the funding capacity and infrastructure capabilities. He stated that it was part of their master plan to complete these projects over time.

Councilmember Semple asked how many homes were eligible for conversion.

Ms. Harris said that about 84 homes were eligible, but they did not know how many they would be able to serve with the grant, because awards were based on income limits and costs per property. She stated that there were \$40,000 and \$20,000 caps per parcel depending on income.

Ms. Harris explained that there would be a resolution to direct staff to accept the grant and move forward. Then there would be a public hearing next month to allocate the funding.

G. St. Leonard's Farm: Deed Restriction

Frank Cassidy, Town Manager, introduced the topic.

Mr. Cassidy provided an overview to Council of the History of the Deed restriction on the Water treatment plant with St. Leonard's Farm. He explained that it would be a cost of \$1.5 Million dollars to satisfy the conditions of the deed and would need an additional \$500,000 reappropriated to the project.

Councilmember Gagnon requested to pull the item from the consent agenda and defer it to the next month's meeting so that he could have more time to review it.

Councilmember McGuire and Vice Mayor Hartman stated support for including the item on the consent agenda.

Councilmember Mooney asked if there were time considerations related to the deed restriction. Mr. Cassidy said that a delay could cause the St. Leonard's Farm Association to reconsider the agreement. He said that finalizing the agreement would enable the Town to upgrade the water plant and upgrade the permit from DEQ to address projected demand.

Mayor Nevill stated that this matter had been under consideration for years, and there had been many conversations with Council to remove itself from the deed. He said that he did not see a reason to defer the matter, and he recommended including the item on the consent agenda at the evening meeting.

Councilmember Semple expressed support for deferring the item.

Councilmember Sutphin expressed support for including the item on the consent agenda.

Councilmember Mooney suggested moving the item off the consent agenda to be addressed during regular business of the Council.

Mayor Nevill confirmed there was consensus from the Council to move the item from the consent agenda to be considered for a floor vote during Unfinished Business at the evening meeting.

H. Modification to Town Code section 2-22 WARD 2 Polling place

Frank Cassidy, Town Manager, introduced the topic and provided a summary of the item to the Council. He explained that Fauquier County initiated this item as they needed to change their Polling locations from the school due to remodeling. They have decided on the New County Medical center which is the Old Town Visitor Center as the new location. This location would meet the needs of ADA and polling.

Vice Mayor Hartman asked if it was possible to make Calhoun Street a two-way road. Mr. Cassidy said that he had been in contact with the Public Works Department, and they were prepared to remove the one-way signs once they received authorization.

Councilmember Semple asked if this could become a permanent change of polling place. Martin Crim, Town Attorney, replied that the County Attorney had indicated that this would likely be an indefinite change, if not permanent.

I. Smart Scale Round 6

Denise Harris, AICP, introduced the topic.

Ms. Harris provided a presentation to Council. She explained Smart Scale projects under VDOT and the funding options available with them. She showcased multiple projects that the Town Could pursue and explained the necessity of such a long time scale for funding.

Mayor Nevill encouraged further partnership with the County to address traffic improvements.

J. Councilmember Text Amendment Initiation

Councilmember Semple proposed initiating a text amendment to allow property owners in the central business district to convert unused spaces into residential uses.

Rob Walton, Director of Community Development, provided additional information to the Council.

Councilmember Hamby noted that they were already undergoing a comprehensive zoning update, so they should include consideration of this topic in that update. He expressed concerns about the density, trash collection, and parking impacts related to the request.

Mayor Nevill said that he agreed that this discussion should be considered holistically with the zoning update. He said that he was supportive of initiatives to increase available housing.

Councilmember McGuire expressed concerns about public safety with respect to residents living above retail and emergency responses. He echoed concerns about parking. He said that the Town had yet to define affordable housing, and he was skeptical that landlords would offer affordable housing on Main Street since it was prime real estate.

Councilmember Gagnon said that this initiative would serve as a restoration of the traditional uses of Main Street and offer property owners additional revenue opportunities. He said that the Town should explore ways to revitalize its Main Street by offering housing opportunities.

Councilmember Semple said that the proposed amendment would require the Town to address each project through a special use permit rather than a by-right change to the zoning density. He said that it would help provide additional residential uses along Main Street and better inform the zoning update.

Councilmember Sutphin expressed concerns about traffic impacts and trash collection. She said that they had to consider growth decisions holistically.

Vice Mayor Hartman said that he supported the proposal, but they had to consider the potential impacts, such as parking. He suggested that they consider this during the comprehensive zoning update.

Councilmember Mooney said that he supported moving forward with the initiative to provide more housing opportunities. He noted that converting the spaces to residential uses could increase tax revenue.

Councilmember McGuire said that they had to consider the potential impacts of Main Street development before moving forward with the initiative. He suggested that Council consider an ordinance requiring mixed-use development for new construction.

Mr. Crim recommended that if the Council wanted to move forward with the proposal, staff should prepare a resolution referring the matter to the Planning Commission. He noted that the Commission could add more details regarding the implementation of the proposal.

Councilmember Hamby suggested that the Council incorporate the proposal into the larger zoning ordinance update and refer the matter to the consultant.

Motion put forth by Councilmember Hamby was to incorporate consideration of the proposal into the comprehensive zoning ordinance update.

Seconded by Councilmember McGuire.

The vote was as follows:

Ayes:	Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. David McGuire; Mr. Eric Gagnon.
Nays:	Mr. Paul Mooney; Mr. William Semple; Mr. Eric Gagnon.
Abstention:	
Absent:	

The motion passed (4-3); the proposal was added to the zoning update.

K. Agenda Review

Mr. Cassidy reviewed the agenda.

Mr. Gagnon requested to add two proposed resolutions to the agenda.

Mayor Nevill instructed him on the proper procedure to add the items.

L. Adjournment

With no further business, this meeting was adjourned at 11:50 AM on Tuesday, February 13th, 2024.

II. REGULAR MEETING - 6:30 PM

The Mayor called the meeting to order at 6:30 p.m. A quorum was present, and business could be conducted.

Mayor Nevill noted that Councilmember Semple would be joining the meeting remotely. He asked Mr. Semple to state his location and reason for remote participation.

Councilmember Semple stated that he was located at his home and would be attending remotely due to medical reasons.

A. INVOCATION.

Pastor Vinicent Holland led the invocation.

B. PLEDGE OF ALLEGIANCE.

Mayor Carter Nevill led the Pledge of Allegiance.

C. PROCLAMATIONS, RECOGNITIONS, AND PROMOTIONS.

Town Manager Frank Cassidy said there were several staff members they would recognize this evening.

Mr. Cassidy announced the Town's new hires: In the Public Works & Utilities Department, Wastewater Treatment Plant Operator Trainee Andrew Chesney; and in the Parks and Recreation Department, Lifeguards Skye Powell and Daniel Hassan

Mr. Cassidy announced the Town's staff promotions: In the Parks and Recreation Department, Head Guard Fred Gordon; in the Police Department, Lieutenant Thomas Kamerer; Corporal Francis Barlan; in the Town Manager Department, Town Manager Francis G. Cassidy

Mr. Cassidy recognized Lieutenant Thomas Kamerer, Officer Hannah Stewart, Officer Maribeth Howser, Officer Francis Radel, Officer Kayla Freeman, and Sergeant Christopher Smedley for receiving the 2023 Life Saving Award from the Fauquier County Chamber of Commerce and Recognition by Senator Mark Warner; and Corporal Christopher Ford, Officer Hannah Stewart, and Detective Corporal Matthew Eggers for receiving the 2023 Meritorious Unit Award from the Fauquier County Chamber of Commerce and Recognition by Senator Mark Warner.

a. A Proclamation Recognizing twenty years of efforts by Less Cancer and their work to educate, advocate, participate

Mayor Nevill presented the Proclamation Recognizing twenty years of efforts by Less Cancer and their work to educate, advocate, participate.

Mr. Bill Couzens accepted the proclamation and gave remarks.

b. A Proclamation recognizing the work of Pastor Vinicent Holland and declaring February 2024 as Black History Month in the Town of Warrenton, Virginia

Mayor Nevill presented the Proclamation recognizing the work of Pastor Vinicent Holland and declaring February 2024 as Black History Month in the Town of Warrenton, Virginia.

Pastor Vinicent Holland accepted the proclamation and gave remarks.

D. CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: February 13, 2024		
Name	Address	Topic
Joe Fiicarelli	102 Winchester Street	February 13, 2024 Town Council work session
Douglas Larson	134 Mosby Circle	Resubmission of Amazon site development plan
Bernadine Connelly Clark	171 Menlough Dr	Resubmission of Amazon site development plan
Waldo Ward	192 Pinnacle Court	Affordable housing in Warrenton
Cindy Burbank	Barnell Court	Resubmission of Amazon site development plan

Joe Figarelli spoke regarding the February 13, 2024 Warrenton Town Council work session.

Douglas Larson spoke regarding the recent resubmission of the Amazon site development plan.

Bernadine Connelly Clark spoke regarding the resubmission of the Amazon site development plan.

Waldo Ward spoke regarding affordable housing in Warrenton.

Cindy Burbank spoke regarding the resubmission of the Amazon site development plan.

E. APPROVAL OF THE AGENDA.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Councilmember Gagnon was to amend the agenda to introduce two motions under New Business related to Amazon's redactions to their site development plan as follows: the first resolution is A resolution relating to Amazon redactions, and the second resolution is Resolution #2 relating to information on power supply for the Amazon data center.

Seconded by Councilmember Mooney.

Councilmember Gagnon expressed his concern regarding the lack of discussion regarding the redactions in Amazon's site development plan as they related to public health and safety.

The vote was as follows:

Ayes: Mr. William Semple; Mr. David McGuire; Mr. Paul Mooney; Mr. Eric Gagnon

Nays: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor

Abstention:

Absent:

The motion passed (4-3); the items were added to the agenda under New Business.

Mayor Nevill sought a motion to adopt the agenda as amended.

Motion made by Councilmember Hamby to approve the agenda as amended.

Seconded by Councilmember Mooney.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:

Absent:

The motion passed unanimously; the agenda was approved as amended.

F. PUBLIC HEARINGS.

1. Modification to Town Code section 2-22 WARD 2 Polling place

Mr. Frank Cassidy, Town Manager, introduced the topic and provided a brief summary of the item to Council. This item would update the Town Code to reflect that the polling place formerly at Taylor Middle School is now at 33 Calhoun Street.

The public hearing was opened at 7:05 p.m.

There were no speakers.

The public hearing was closed at 7:05 p.m.

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmember Hamby was to move the WARD 2 Polling place to the Warrenton Wellness Cottage.

Seconded by Councilmember McGuire.

Councilmember Semple expressed his support of the motion.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:
Absent:

The motion passed unanimously; the Polling place relocation was approved.

2. ZOTA 23-03: FDP Zoning Ordinance Text Amendment Article 3-5.1

Rob Walton, Director of Community Development, introduced the topic and provided a brief summary of the item to Council.

The public hearing was opened at 7:10 p.m.

There were no speakers.

The public hearing was closed at 7:10 p.m.

Mayor Nevill sought a motion on the item.

Motion put forth by Vice Mayor Hartman was to approve the Zoning Ordinance Text Amendment 23-03.

Seconded by Councilmember Sutphin.

Councilmember expressed his support of the proposal.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:

Absent:

The motion passed unanimously; ZOTA 23-03 was approved.

G. CONSENT AGENDA.

- a. Departmental Quarterly Reports**
- b. Police Department Report**
- c. Finance Department Report**
- d. Community Development Department Report**
- e. Parks and Recreation Department Report**
- f. Public Works and Utilities Department Report**
 - Capital Improvement Program**
 - Street Maintenance Report**

- g. Human Capital
Emergency Management
- h. Fleet and Facilities Department Report
- i. Lifting of the Drought Watch Advisory
- j. ARB Member Advertisement
- k. Appointment of LBBCA Member
- l. A Resolution to Authorize the Town Manager to Sign a Virginia Department of Environmental Quality Reimbursable Grant Agreement for a Septic Local Partners Program
- m. Acquisition of Real Property – Horse Show Grounds
- n. A Resolution to Amend the Fiscal Year 2024 Adopted Budget to Reappropriate Virginia Outdoors Foundation Grant Funds
- o. A RESOLUTION TO REALLOCATE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Mayor Nevill sought a motion on the item.

Motion put forth by Vice Mayor Hartman was to approve the Consent Agenda as presented.

Seconded by Councilmember Hamby.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:

Absent:

The motion passed unanimously; the Consent Agenda was approved.

Mr. Cassidy said that regarding Consent Agenda Item J, ARB Member Advertisement, staff was seeking direction regarding Council involvement in Architectural Review Board member advertisement.

Mayor Nevill recommended that Councilmembers Sutphin and Mooney coordinate with staff and the ARB so they could assist in interviewing ARB applicants.

H. NEW BUSINESS

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 draft resolutions proposed on February 13, 2024.

Vice Mayor Hartman moved to convene a closed session as permitted by Virginia Code 2.2-3711 (A)(8).

Councilmember Mooney Seconded. There was no discussion on the motion.

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:

Absent:

Upon reconvening from the closed session, Vice Mayor Hartman 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.

Councilmember 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. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

Nays:

Abstention:

Absent:

Motion put forth by Councilmember Mooney was to table this item until the next Town Council meeting.

Seconded by Councilmember McGuire.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman,

Vice Mayor; Mr. David McGuire; Mr. Paul Mooney; Mr. Eric Gagnon

Nays:
Abstention:
Absent:

The motion passed unanimously; the item was tabled until the next Town Council meeting.

I. UNFINISHED BUSINESS

a. St. Leonard's Farm: Deed Restriction – Reallocation of ARPA Funds to remove the Deed Restriction

Mr. Frank Cassidy, Town Manager, introduced the topic. He provided a brief summary of the item to Council.

Councilmember Semple asked what the remainder of ARPA funds would be utilized for.

Mr. Cassidy answered that they would be forwarded to the wastewater treatment plant and other water infrastructure, as well as with infrastructure geared towards the livability standards and affordable housing by working with Habitat for Humanity and some of their improvements on Haiti Street.

Motion put forth by Vice Mayor Hartman was to adopt a Resolution directing the Town Manager to take necessary action to remove the deed of gift from the St. Leonard's Farm property.

Seconded by Councilmember Hamby.

Councilmember Gagnon noted the gravity of this transaction and their decision to go forward with it. They must include this transaction in a higher conversation about how much and how quickly they want to grow the Town. He expressed concern that they were not giving citizens adequate time or information to help Council make a decision regarding this item and the Town's future growth. He stated his disapproval of the motion.

Councilmember Semple stated his disapproval of the motion. He expressed concern that they had not had adequate time to review this item.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. David McGuire; Mr. Paul Mooney

Nays: Mr. William Semple; Mr. Eric Gagnon
Abstention:
Absent:

The motion passed (5-2); the Resolution was adopted.

J. TOWN ATTORNEY'S REPORT.

Mr. Crim reported that he had updates to provide Council regarding General Assembly bills of interest to their local government. He stated that there were two bills VML was opposing, one dealing with accessory dwelling units and one dealing with short-term rentals which would deprive local governments of their powers. The accessory dwelling unit bill, SB-304, had passed the Senate, and although it had a delayed effective date, they hoped it would not come in at all.

Mr. Crim continued that the short-term rental bill passed the Senate and limited special use permits with regard to short-term rentals. The bill was written in a way that indicated someone had a specific agenda, but nothing that would fit towns from the size of Little Washington up to Leesburg; it did not address the conditions local government needed to deal with. He stated that those two bills should be opposed. He reported that there was a FOIA bill, SB-36, which passed the Senate and was currently before the House with its companion House bill which differed a little bit.

Mr. Crim reported that there was a passed House Bill 906 which limited their ability to make utility disconnects, so it got into detailed policy decisions regarding how hot it should be when they turned off someone's electricity. It did not affect the Town's electricity as much as it would water and sewer, so they wanted to watch it carefully as it was an unprecedented intrusion into local government control of utilities. He emphasized that the idea of local government-owned utilities was that they were answerable to the people in that they were in the best position to make policy decisions over that.

Mr. Crim reported that House Bill 942, which prohibited voting precincts in police stations, passed the House narrowly and was currently before the Senate. He noted that the bill was interesting in that if there were multiple offices in a building, and one of them was a police station, they could have a voting precinct there, but it did not define what "multiple" meant.

Mr. Crim reported that there were a number of other bills they were watching as well, including cannabis bills, which the governor vowed to veto. He stated that they did not expect cannabis legislation authorizing retail sales in Virginia this year; however, if they did and wished to have a local referendum, they must act fast because the bill required any referendum to happen before the end of the year.

K. TOWN MANAGER'S REPORT.

Mr. Cassidy reported that there would be trees coming down in the area of Broadview and 211 as part of the Broadview project. They were beginning outreach with VDOT in order to make sure everything was in place before construction began in May.

Mr. Cassidy reported that they had finished the assessment for Courthouse Square and were currently finalizing the formal assessment to present to Town Council. He said that he would soon be reporting more information to Council regarding a three-way stop model they would be trying out in March.

Mr. Cassidy reported that they would soon be taking down the lights on Main Street; there was a series of street lights that kept going out, which they believed was because of a breaker associated with the holiday lights getting wet or worn down.

Mr. Cassidy reported that the Rappahannock Street Project was starting to connect waterlines to properties.

L. COUNCILMEMBERS TIME.

Mr. McGuire: Stated that he had heard about the lights and extension cords on Main Street; it seemed that word traveled fast. Stated that one year ago, they had the Amazon vote and things like that, and today he let his colleague from the 5th Ward have his piece, which he thought was good. He noted that they could not discuss what was heard in closed session, but he appreciated what they had achieved and hoped they could reach some consensus. Reminded all law enforcement, military personnel, and veterans that he appreciated their service. Noted that it was African American History Month, and that Black Americans had fought for this country and were treated like second-class citizens. Acknowledged that they owed those Black Americans a debt of gratitude. Stated that it was not only about what Dr. Martin Luther King, Jr. said about the character they had, but about economic viability, housing, and educational opportunities; that was how they would right that wrong. Noted that they must define what “affordable housing” is so that they could discuss it to the best extent possible. Stated that during the last major snowfall, he pushed some snow with Town staff, which was very educational, and he appreciated that. Encouraged his Councilmembers to see what the Town employees do; it was hard work to ensure there were clean streets in Warrenton. Expressed his appreciation for everyone who attended the meeting tonight. Encouraged citizens to reach out to him if they had any concerns. Expressed his disapproval of mischaracterizations of himself in local newspapers, and asked that anyone who wondered where he stood on an issue to please talk to him and let him explain his views himself.

Mr. Gagnon: Stated that he would like to address a couple of issues that arose out of last month’s strategic retreat. Stated that at this retreat, a Councilmember made two allegations against Councilmember Semple to justify that Councilmember’s own actions in holding a meeting last September with a developer which was the subject of a recent article in the Fauquier Times. First, this Councilmember stated that Councilmember Semple had been censored, and in another instance stated that Councilmember Semple had attended a previous meeting with the same developer. Noted that he had looked into both of these allegations and believed it was important to clarify the record. First, Councilmember Semple was not censored; censorship would require a vote of the Town Council, and no such vote was taken. What this Councilmember was referring to was a notice of violation sent in the form of a letter given to Councilmember Semple by the Mayor in 2022. This letter accuses Councilmember Semple of improperly accessing and distributing protected Town files he accessed on the hard drive of a Town computer. Councilmember Semple discovered a map showing a massive 1750-acre boundary line adjustment to the Town, which proposed to increase the size of Warrenton by 60%. This map, which Councilmember Semple retrieved from a hard drive made available for use by the Council called an open or o-drive was marked “final,” and Councilmember Semple distributed this map

internally to the rest of the Council by email with an accompanying note questioning why this map had been marked “final,” and requesting an update on the status of this proposed boundary line adjustment. Councilmember Semple had also expressed concern that the Town was not being responsive to questions raised about this boundary line adjustment by a local public interest group. Noted that in his reading of the background material, this incident created an uproar among some members of the Council and the former Town Manager, resulting in a sort of Keystone Cop scenario where Councilmember Semple was temporarily locked out of Town Hall and access to his Town government computer account was blocked by Town staff. Noted that he had heard of talk about convening a grand jury to investigate Councilmember Semple, but this scheme was laughed off by the local Commonwealth Attorney. Questioned what exactly Councilmember Semple had done wrong. According to the Freedom of Information Act, files on the o-drive were public documents, as was the particular file that he distributed for internal deliberation by the Council. In reviewing the emails and other communications on this matter, he saw a Town Councilmember striving to bring transparency and responsiveness to an important Town issue in the face of what looked like a desire on the part of some individuals to keep these matters from the public, which resulted in the anger and embarrassment of certain individuals triggered by Councilmember Semple’s distribution of this information for internal review. The fact that these accusations went nowhere, that the notice of violation had no force in effect, that Councilmember Semple was never accorded due process in this matter, and certainly never involved a formal censure vote by the Town Council, did not speak well for the Councilmember who made this allegation against Councilmember Semple last month. Also last month, the same Councilmember, trying to deflect his own involvement in a meeting with the developers for the Arrington project last September, made a show of waving around a few emails indicating that Councilmember Semple had attended an earlier meeting with the same developer. Explained that he reviewed this information and the background information on this, and it was clear that these were two very different types of meetings. The meeting that Councilmember Semple attended was purely informational in nature, and he was only there as a member of the audience to learn more about this project, which at the time was only being proposed as a project in the County and not in the Town. By contrast, the meeting that the Councilmember who made these allegations against Councilmember Semple had with the same developer last September was a substantive discussion where meeting notes show that this Councilmember made specific recommendations on the size and scope of this development; most notably, the meeting also incorporated substantive discussions on a proposed 234-acre boundary line expansion proposing the incorporation of this development into the Town of Warrenton. This meeting was so substantive that it resulted in a detailed resolution drafted by the developer and passed by the Town Council last December, over the objections of Councilmember Semple and himself, which expressed Town Council support for this project and its associated boundary line adjustment. Noted there was a fundamental difference between the purely informational meeting that Councilmember Semple attended as an audience member and the meeting where this Councilmember was involved in actively shaping the size, scope, and other terms of a deal with the developer, which was brought to the Town Council 83 days later, and this Councilmember is attempting to make these two events seem equivalent in order to deflect criticism of his own actions. Emphasized that this Town deserves better than to allow members of Town Council to make these unfounded charges, and he calls on this Councilmember to withdraw these allegations. The citizens of this Town also deserve better than this. To move in a more positive direction, they need to establish clarity on how and when Town Council members should meet

with developers and under what terms, or if they should meet with developers at all. Stated that next month, he looked forward to a constructive discussion on how they can clarify the relationship of Councilmembers with developers and whether or not additional guidelines should be established to respect the process they already have in place to examine, screen, and approve development projects, and to give the citizens of this Town the opportunity to voice their opinions and have their vote on these projects.

Vice Mayor Hartman: Expressed his appreciation of the work that staff did regarding an issue in Ward 4 with a clogged storm drain, which they took care of within a day of him mentioning it in passing to an employee. Thanked the Public Works employees working for the Town 24 hours a day.

Mr. Hamby: Stated that in response to Councilmember Gagnon's comments, some of the stuff that went on at the retreat was based on the fact of the criticism in the newspaper by a couple of Councilmembers against himself and Councilmember McGuire. Stated that if the Council decided as a body that from now on, no one would meet with anybody, he would follow that and it was fine with him. Stated that he and Councilmember McGuire went to a meeting inside the Warren Green Building, County headquarters, with two elected Board members, staff from Town, staff from the County, and the applicant. Noted that it was a recorded meeting and was official business. Expressed his confusion about how people thought that was a secret meeting. Stated that as far as setting anything, during the discussion, it was two Board members and two Councilmembers who produced nothing; it all comes back to Council. Noted that he spoke with all sitting Councilmembers about the meeting, so it was not secret. Stated that regarding emails, the emails he had were simply a record of the same applicant, which Councilmember Semple attended a year before he and Councilmember McGuire did; however, Councilmember Semple's meeting was informative while theirs was painted as wrong somehow. Stated that he had not seen any notes that had come out of that meeting or a scribe assigned to that meeting. Regarding censorship or reprimand, as well as the Town Hall lockout, he confirmed that the lockout did happen, but as a body, they decided that they would all be locked out. Regarding accessing a Town computer, he did and it was no simple thing. Stated that finding maps of boundary line adjustments, those were presented prior at the retreat. Stated that he was not interested in what Councilmember Semple did, but if he wanted to put them in the newspaper, everyone needed to understand that Councilmember Semple did the same thing. Stated that they could FOIA the memos if they wanted to so they could see for themselves. Stated that given their Town's need for water and sewer upgrades, the ARPA funds were shifted over to the water plant, which was information included in Councilmember Gagnon's newsletter, but at the same time he had questioned if there was better use for the ARPA funds, so he was confused. Stated that he was not defending himself from Councilmember Semple or anyone else; but he believed that the media had become the complaint department for the Town. Noted that they had held good discussions today as a body, so he hoped it kept up, but if everyone wanted to shoot from the sides, they would continue to do so and keep it as plain old politics. Stated that he expected to hear from Councilmember Semple about this topic but not from another member of Council.

Mr. Semple: Stated that he did not go to the press to attack Councilmember Hamby and Councilmember McGuire; the press reported on a short speech he gave at the work session last month where he expressed concern that they were circumventing the process of how they reviewed substantive legislative matters. Acknowledged that the Councilmembers believed they

were doing the right thing. Emphasized that he never said that the project they were engaged in was a bad one; his concern was that he did not know enough about the project until there was a substantive resolution to be voted on without having had a work session regarding the implication of the Arrington project. Stated that it had changed substantially since the meeting he had been invited to the meeting to learn more about the zoning of the project, and he attended so he could learn more about its relation to their Code of Development. Emphasized that the meeting had no legislative implication on the Town and he was simply learning more about it. Stated that he was not arguing about the meeting that Councilmembers Hamby and McGuire had, except that he complained that they did not know about it and felt it should be reviewed in terms of their Town Council Code of Conduct handbook. Stated that in his short speech at the work session last month, he expressed that he wanted them to have a more collaborative approach in legislative matters so they could be told early on about substantive issues that would wind up in front of Council for approval. Apologized to the Councilmembers that his comments had negatively affected. Emphasized that he was discussing the culture of the Council in which decisions were made without full involvement of the entire body. Stated that he had not received any phone calls from any Councilmember on any items before Council for the last seven months. Expressed his hope that they could change that culture and work together collaboratively as a body and move forward. Thanked staff for their phenomenal work and congratulated Mr. Cassidy on his first week in his position as Town Manager.

Ms. Sutphin: Thanked everyone for attending today's meeting. Congratulated the Warrenton Volunteer Fire Department on their 100th Anniversary. Acknowledged that they had a lot of history; their location used to be on Main Street where the flower shop and wig shop were. Congratulated Mr. Vinicent Holland on his proclamation; he held a special place in her heart because he was her bible school teacher and an associate pastor at her church. Stated that she prayed that at some point, they could come in and work together without pointing fingers. Noted that she had witnessed that if someone pointed a figure, that person should not get mad when it got pointed back at them. Stated that they must work together, and they all made mistakes, but it was getting difficult when only one side of the whole story was told. Noted that it was comical to read what the paper published or what was on Facebook; it was not even close to the truth. Expressed her hope that at some point, they can all get into the room and duke it out until they were done screaming. Emphasized that they needed to work through it because their personal differences did not matter; it was about what was best for the Town, the community, and the children who would be running the Town when they were all dead and gone. Stated that she could get hit by a bus tomorrow, and she hoped that any decisions she made had impacted the Town for the better. Stated that they needed to get themselves in check, stop blaming, pointing, and being angry at each other. Stated that their children were watching and learning from them. Emphasized that they must be respectable and work together. If they have issues with each other, they should be able to come to each other and talk to each other; if they did not understand what was on the agenda or were scared of what was happening, they had so many people to help them understand. Emphasized that if they were unable to understand, they must ask the questions and not assume anything or blame anyone when things did not go one's way. Noted that there were a lot of powerful things said by Pastor Holland during the invocation this evening, and she wanted them to revisit those words because they were all flesh and blood and deserved respect. Stated that sitting on the dais was not easy by any means; she had people screaming at her and telling her she was a liar on the street, but she knew that they did not know

her and that it took a lot of guts to do what she believed was good for the Town. Stated that the men she had worked with for the past three years had integrity and worked extremely hard. Expressed her hope for building a good relationship with the new Town Councilmembers, but they could not do so if they were continually blaming each other; they needed to come together and work for the Town.

Mr. Mooney: Welcomed all the new employees and gave congratulations to all the Police Department promotions. Thanked his brother-in-law Francis for protecting him. Encouraged everyone watching to watch the EOTW presentation from this morning; he believed Ms. Fryman was working very hard to make the Town amazing. Requested that the public provide her with feedback and ideas for making the Town more vibrant. Noted that there was a lot of good work going into making the Town a great place for families. Highlighted the septic grant and the hard work done by Town staff, which would help a lot of people with septic and water problems. Thanked the Town for working through that and expressed his happiness for all the people affected. Noted that the grant was first-come, first-serve, so any resident with an issue that needed resolved should reach out regarding the grant. Highlighted that the Housing RFI was closed out for the month; he had pushed for money to go to Habitat for Humanity, which it did. Encouraged the public to look at the department reviews, which were very comprehensive, and to ask any questions they may have about them. Expressed his eagerness to work with Councilmember Gagnon on a resolution or other form to resolve the redactions; he had also brought up the noise ordinance issues during the Amazon meetings years ago, so he was excited for that opportunity. Expressed that he was looking forward to working with the ARB to appoint new members and move their work forward. Noted that it had been one year since he spent 14 hours on Valentine's Day away from his wife, and he thanked her for that. On that night, whether they agreed with the outcome or anything, it was an amazing night for a small town; they had a full auditorium of people who wanted to ensure their voices were heard, and sitting for hours listening to everyone. Some people may not agree with everything, but it was amazing that there were 14 hours of meetings with many people from the Town, which would make their Town better. The more people who were engaged and holding the Town staff and government accountable, the better their outcomes would be. Thanked his colleagues and Town staff. Wished everyone a wonderful Valentine's Day.

Mayor Nevill: Stated that he would refrain from giving remarks this evening.

M. ADJOURNMENT.

With no further business, this meeting was adjourned at 9:13 PM on Tuesday, February 13th, 2024.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on February 13th, 2024.

Attachments:

- 1) Handouts to Council from Citizen's time. February 13th, 2024.
- 2) Citizen Comment Emails and form submissions.
- 3) Signed legislation.

Draft



The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
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February 13th, 2024, Regular Town Council Meeting Minutes

Attachment 1: Handouts to Council



PRESENTS



IN PARTNERSHIP WITH



AND ADDITIONAL FUNDING FROM



PATH FOUNDATION

EMPAHISIS ON

- Sense of community
- Local agricultural heritage
- Local economy
- Healthy citizens
- Cultural diversity through culinary offerings and agriculture

ECONOMIC VITALITY

\$ 743K

Approximate combined vendor revenue generated during Peak Season



Zero-story businesses now also operating brick & mortar locations



Weekly zero-story retail spaces available for small businesses

CORE VENDORS

% 37.2

Minority Owned



Woman Owned

% 51.2

Cultural Heritages Represented

American
Bolivian
British
Dominican
Egyptian

German
Irish
Italian
Mexican
Native American

Nigerian
Peruvian
Polish
Ukrainian
Uruguayan



GUEST VENDOR PROGRAM



95

Opportunities provided in the 2023 Peak Season



DIGITAL MARKETING



Percentile for published content as compared to similar entities

Profile visits (achieved organically)



80,657

BUSINESS CONNECTIONS

Brands with products on food service menus



11

18

Brands with products in retail outlets other than their own

COMMUNITY PARTNERSHIPS



- Fauquier FISH
- Fauquier Food Bank
- Master Gardeners
- 4-H
- Civil Air Patrol
- Fauquier Ed Farm
- Rooted in Education
- Fauquier Co. Ag Development

CUSTOMERS



950

Peak Season Weekly Average

Primary Counties of Residence:

Culpeper
Fairfax
Fauquier
Prince William

Rappahannock
Stafford
Spotsylvania
Warren

ADDITIONAL IMPACTS

16 municipalities in VA represented by participating businesses

Operating Days



41



36

Learning Opportunities



28

Kids' Day Activities



EXTENDED COMMUNITY DEVELOPMENT



17

Wholesaler-buyer introductions made



20+



PRESENTS



IN PARTNERSHIP
WITH



AND ADDITIONAL
FUNDING FROM



PATH FOUNDATION

What Vendors & Customers Are Saying About the Warrenton Farmers Market



"Beautiful market, please support local farmers. Today, there was a new table that makes stunning handmade wooden pieces, bowls then donates 100% of of proceeds to Fauquier Food Bank. So selfless and beautiful items so we spent some money."

-S.D., Customer



"Digital presence - having a social media network through the market is a huge help, and it's great to have someone helping to share and curate a positive online presence for the market, who can assist vendors getting their own posts out there. As someone who has a hard time engaging with social media I especially appreciate the extra help in this area!"

-C.M., Vendor

"I feel that our market creates an incredible community of vendors and consumers that support each other. Being part of that is a huge benefit both personally and as a business. It can be such an amazing way for folks to network and feel a sense of belonging. Many of us buy from each other to make products etc. A myriad benefits!"

-J.H., Vendor



"Actually making us follow the safety rules. I've been to other markets who are casual about arrival and tear down and won't bother you about your tent weights."

-A.R., Vendor

"The manager's care and attention to vendor and customer needs. This is hugely appreciated since we've experienced otherwise."

-A.Y., Vendor



"The Warrenton Farmer's Market is so much more than a place to shop. The architects of this market have created a community family - we are watching each other's families grow, we experience the pain of loss as family members pass, and rejoice when new family members join. I truly look forward to shopping at the market each and every week - this is the high point of my week! Not only are the products sold here ALWAYS top notch - but the conversation and love is always plentiful. My heart and wagon leave the market full every week."

-S.R., Customer



"My audience expands through the Market's social media. It's helpful that the market is offering marketing. As a small business owner who has a full time job, marketing isn't a priority. I spend my time creating product. I appreciate that the Market is in front of way more people than I ever could be, both physically and online."

-L.D.C., Vendor



Proposed Warrenton Horse Show Grounds Purchase: Is This The Best Use of Available Town Funds?



In April, the Town Council voted to enter into negotiations with the owners of the Warrenton Horse Show Grounds on East Shirley Avenue. The owners are asking the Town to purchase this property from its shareholders for an estimated \$1.6 million, with the Town using federal COVID-19 (ARPA) relief funds to cover this purchase.

According to *The Fauquier Times*, negotiations between the Town and the Horse Show owners have been conducted for a year, but the proposed sale took a couple of Town Council members by surprise during last April's Town Council hearing.

The proposed purchase is touted by its backers as a positive step in preserving Warrenton's equestrian tradition. The property is also being promoted by the Town as a public park, a location for jogging and dog walking, and venue for a farmer's market, car shows, and other events.

In addition to the \$1.6 million asking price, the Town would have to spend an additional \$400,000 for upgrades to make this project suitable for use as a park and public venue.

Questions have also been raised about access to this site for pedestrians, who would have to cross busy Shirley Avenue traffic to reach this location.

According to the Government Finance Officer's Association's "Recommended Guiding Principles"

for use of ARPA funds by state and local governments, the intended use for these funds are for "COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery," and "investments in water, sewer, and broadband infrastructure." Neither of these guidelines seem to have anything to do with buying a horse show property. Is this a sound and proper expenditure?

So, especially given our Town's need for water and sewer upgrades, as well as other priorities, is this the best use of these ARPA funds? While some neighbors I've spoken with are highly supportive of this purchase, mostly from the standpoint of nostalgia and preserving Warrenton's equestrian tradition, many others see this proposed purchase as not being the best use of available Town and Federal funds, even if proper.

Two other things I find alarming about this proposal: First, the fact that discussions and negotiations were held in secret for over a year is an ugly reminder of the cronyism many of us have seen over too many years in our Town. Second, a competing use for these funds, a proposed Habitat for Humanity project to build 10 new single family homes on Haiti Street, was apparently pushed aside in favor of this project.

Another suggested use of these funds was to help Oliver City residents connect to Town water service. In terms of overall good to our community, a strong argument can be made for the Habitat project, which could transform Haiti Street for both the families living there, and for the community, or for providing reliable water service to Oliver Street residents. Both of these alternatives might be a better and more compliant use for these funds.

What do you say? Contact me with your thoughts on this issue.



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February 13th, 2024, Regular Town Council Meeting Minutes

**Attachment 2: Citizen Comment Emails and form
submissions.**

From: "Steven Chiccehitto" <[REDACTED]>
Sent: Wed, 31 Jan 2024 22:22:09 -0500
To: "" <citizencomment@warrentonva.gov>
Subject: ZOTA-23-3 to Article 3-5 FEMA Floodplain Maps

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

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

Hello, I am in receipt of your letter dated January 24, 2024, regarding the above referenced topic. I am a property owner within the flood hazard area (address below). The last time I received one of these letters, which was just a few years ago, the map indicated the floodplain for our property had decreased. Now it appears it has increased. Nothing has changed about the property between then and now. Can you please explain this phenomenon? I tried accessing the link shown in your letter but was unsuccessful. If you can send that in a return email to me that would be most helpful.

Thank you.

Steven Chiccehitto

Member

819 JMH, LLC

819 James Madison Highway

Warrenton VA 20186

[REDACTED]



Virus-free. www.avast.com

From: "Nicholas Kalis" <[REDACTED]>
Sent: Sat, 3 Feb 2024 12:30:52 +0000
To: "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Subject: ZOTA-23-3 - Citizen Comment

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

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

NICHOLAS KALIS

**Re: Citizen Comment
ZOTA-23-3
569 – 627 Frost Avenue
Warrenton, Virginia**

Dear Town Council:

Our Food Lion center on Frost Avenue(Route 211) partially lies within flood plain. We would urge the Town Council in considering making any amendments to the Town of Warrenton zoning ordinance that it should take care that it make no changes that would make it more difficult for a landlord of properties within flood plain to lease or sell such properties. Hindering the leasing or sale of such properties would adversely affect the tax base of our town. Flood insurance is available to ease real estate transactions affected by flood plain.

Thank you.
Nicholas Kalis
Manager
Kalis Holdings LLC

Member





The Town of Warrenton
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February 13th, 2024, Regular Town Council

Meeting Minutes

Attachment 3: Signed legislation



Motion for Convening a Closed Session

Council Meeting Date: February 13th, 2024
Agenda Title: Closed Session- Legal review

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 _____ [Give department, job title(s), or job category].
- ☐ 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 **Draft Resolutions Proposed on 02/13/24**. [Give nature of matter].
- ☐ 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 § _____, 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: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Ayes:

Nays:

Absent from Vote: None

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: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Ayes:

Nays:

Absent from Vote: None

For Information:
Town Clerk

Effective date: February 13th, 2024

Stephen Clough, Town Recorder






February 13th, 2024
Town Council
Regular Meeting
ORD-24-02-001

**ORDINANCE ORD-24-02-001
AN ORDINANCE AMENDING ARTICLE II, SECTION 2-2, "VOTING OR POLLING PLACE" WHICH
ESTABLISHES POLLING LOCATIONS FOR THE TOWN OF WARRENTON
EFFECTIVE FEBRUARY 13TH, 2023.**

WHEREAS, on February 13th, 2024, 2022, the Town Council held a Work Session on proposed polling location change for Ward Two, of the Town; and

WHEREAS, Article II, Section 2-22, entitled "Voting or polling place" of the Town Code of the Town of Warrenton lists the locations of the ward polling places; and

WHEREAS, the selected polling locations were determined by the Fauquier County Registrar Office and inspected by the Fauquier County General Services to be compliant with polling location requirements; and

WHEREAS, Fauquier County advertised and held a public hearing on February 8th, 2024, to address the emergency location change; and

WHEREAS, the Town Council held a public hearing on February 13th, 2024, upon advertisement notice, properly and duly given; and

WHEREAS, the Town Council desires to adopt this ordinance to reestablish the voting locations of Ward 2 of the Town of Warrenton;

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Warrenton, Virginia, that the Town voting location for Ward Two be hereby adjusted as incorporated herein.

AND BE IT FURTHER ORDAINED, by the Town Council of the Town of Warrenton, Virginia, that the Town Attorney, be and hereby is, authorized and directed to forward copies of this Ordinance and the Polling Locations to the Fauquier County Electoral Board, to the Secretary to the Commonwealth, to the State Board of Elections, and to the Division of Legislative Services and otherwise as required by law or directed by Town Council.

AND BE IT FURTHER ORDAINED, by the Town Council of the Town of Warrenton, Virginia, that Section 2.22, entitled "Voting or polling place" is hereby amended, restated, and readopted on February 13th, 2024, as follows:

Sec. 2-22. Voting or polling place.

The voting places for the wards established by section 2-21 shall be as follows:

- (1) *Ward 1:* C.M. Bradley Elementary School.
- (2) *Ward 2:* Old Visitors Center (33 Calhoun Street), ~~W.C. Taylor Middle School~~
- (3) *Ward 3:* Warrenton Community Center.
- (4) *Ward 4:* Warrenton Aquatic and Recreation Facility.
- (5) *Ward 5:* Town Police Public Safety Building.

(Ord. of 11-6-86; Ord. of 4-7-87, § 21.2; Ord. No. 1991-14, 12-10-91; Ord. No. 1993-18, 11-9-93; Ord. No. 2002-02, 2-12-2002; Ord. No. 2002-09, 10-8-2002; Ord. No. 2004-01, 2-10-2004; Ord. No. 2011-04, 12-13-11; Ord. No. 2022-09, 7-12-22)

State law reference(s)—Polling places in towns, Code of Virginia, § 24.2-308

Attachments:

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Meeting:

For Information: Town Clerk, Director Community Development, Town Attorney

ATTEST: _____

Town Recorder

February 13, 2024
Town Council
Regular Meeting
ORD-24-02-002

AN ORDINANCE TO APPROVE TEXT AMENDMENT ZOTA-23-3 PURSUANT TO SECTION 3-5.1 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON FOR A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 3 FPD – FLOODPLAIN DISTRICT TO ADOPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MODEL ORDINANCE CHANGES AND ASSOCIATED FLOOD MAPS IN ACCORDANCE WITH A LETTER OF FINAL DETERMINATION ISSUED ON OCTOBER 25, 2023

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

WHEREAS, the Warrenton Town 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, Zoning Ordinance Article 3, Section 3-5.1 FPD – Floodplain District regulates areas within the Town encumbered by Special Flood Hazard Areas (SFHA's); and

WHEREAS, the Federal Emergency Management Agency (FEMA) has issued a Letter of Final Determination to the Town placing the revised SFHA's into effect on April 25, 2024; and

WHEREAS, the proposed changes adopt revised text per FEMA's model Ordinance and revised SFHA maps; and

WHEREAS, adopting the changes allows the Town to maintain eligibility in the National Flood Insurance Program; and

WHEREAS, the Warrenton Planning Commission held a work session to discuss amending Zoning Ordinance Section 3-5.1 FPD – Floodplain District on December 19, 2023; and

WHEREAS, the Warrenton Planning Commission held a public hearing on this matter on January 16, 2024 where the Commission unanimously recommended approval; and

WHEREAS, the Warrenton Town Council held a public hearing on this matter on February 13, 2024; and

WHEREAS, the Warrenton Town Council finds that per the Code of Virginia Section 15.2-2286.A.7, the text amendment is for the good of public necessity, convenience, general welfare, and good zoning practice; and

NOW THEREFORE BE IT ORDAINED, that the Warrenton Town Council adopts ordinance language as set forth herein.

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director

Town Attorney

ATTEST:



Town Recorder

Draft

**A PROCLAMATION RECOGNIZING TWENTY YEARS OF EFFORTS BY LESS CANCER AND THEIR
WORK TO EDUCATE, ADVOCATE, PARTICIPATE**

WHEREAS, in 2004, recognizing the impact on the community that cancer leaves in its wake, Less Cancer was founded in Fauquier County under its more formal name Next Generation Choices Foundation, a public charity 501c3; and

WHEREAS, Less Cancer signifies a new paradigm for addressing cancer, one focused on prevention, this is a departure from previous treatment-focused approaches, which focus on beating, conquering, or curing cancer; and

WHEREAS, Less Cancer has provided everything from scholarships for nursing education to continuing medical education for Physicians, Nurses and Public Health Professionals to online and off-line programming including content and materials addressing cancer prevention, health disparities, and the social determinants of health as it relates to health access, screenings for cancer prevention and optimal outcomes for those situations where a cancer diagnosis was unavoidable; additionally the organization addresses risks to include environmental risks, toxic chemicals, lifestyle, nutrition, exercise and viral risks; and

WHEREAS, today the organization has been recognized for initiating National Cancer Prevention Day 02/04, the National Cancer Prevention Workshop, and the United States, Congressional Bipartisan Cancer Prevention Caucus; and; and

WHEREAS, based in Warrenton, Virginia, serving the local community, its work of Less Cancer has reached and been modeled in communities across the country; and

WHEREAS, while the work of the organization continues to spread, it has not lost sight of its founding roots and remains committed to our local footprint; and

WHEREAS, recently, the American Cancer Society reports lower overall cancer death rates, thankfully to the work of prevention has been impactful on lowering death rates; and

WHEREAS, while promising news for the first time ever cancer incidences will be over 2 million in 2024, almost 5,500 cancer diagnoses a day and in 2024, over 611,000 deaths from cancer are projected for the US; and

WHEREAS, both the Board of Directors and its President and Founder, Bill Couzens remain committed to the organization's rural roots in Fauquier County, Virginia, in supporting community health through its work in education, advocacy and policy; and

NOW, THEREFORE BE IT PROCLAIMED that the Mayor of the Town of Warrenton recognizes Less Cancer for twenty years of pioneering in prevention and their work of educating, advocating, and participating in their community and the nation to prevent cancer before it starts.



A handwritten signature in black ink, appearing to read "H. E. Carter Nevill", is written over a horizontal line.

H. E. Carter Nevill
Mayor Town of Warrenton

**A PROCLAMATION RECOGNIZING THE WORK OF PASTOR VINICENT HOLLAND AND DECLARING FEBRUARY 2024
AS BLACK HISTORY MONTH IN THE TOWN OF WARRENTON, VIRGINIA**

WHEREAS, Black History Week was originally initiated in 1926 by Dr. Carter G. Woodson, a native of Buckingham County, Virginia; and

WHEREAS, since the Bicentennial year of 1976, Americans of all walks of life have come together during the month of February to honor the accomplishments of Black Americans in every area of endeavor throughout our history; and

WHEREAS, African Americans have contributed greatly to the heritage, progress, and advancement of the United States of America, the Commonwealth of Virginia, Fauquier County, and the Town of Warrenton; and

WHEREAS, the history and culture of African Americans make up an important part of the history and culture of the United States, the Commonwealth of Virginia and the Town of Warrenton; and

WHEREAS, in 2007, Pastor Vinicent Holland moved to Fauquier County entrenching himself in this community with his family, being a Substitute Teacher in the County School system and becoming Ordained as a Minister in 2016; and

WHEREAS, Pastor "Vini" is currently serving as Pastor of Shiloh Baptist Church in Woodville, Virginia and as an Associate Pastor of First Baptist Church in Warrenton, Virginia where he leads what has become a weekly Community Bible Study; and

WHEREAS, Pastor Holland actively participates on numerous boards in the Fauquier County and Warrenton area as a member of the Warrenton Police & Pastor Coalition, the Rappahannock Clergy Association, the Citizens Action Team for 21st Century Policing, and of Common Threads, a joint ministry with St. James Episcopal Church; and

WHEREAS, Reverend Holland also serves as a Trustee with Covenant Christian Academy, Warrenton, Virginia and as Co-Moderator of the Council Addressing Local Issues Preventing Equality (and) Reconciliation; and

WHEREAS, Reverend Holland served as a community stakeholder with the National Association of Community Mediation and Piedmont Dispute Resolution Center and works with numerous local, state, and national Civil Rights organizations, in addition, he is asked to sit on numerous panels and enjoys being engaged in endeavors that create unity and grow the Beloved Community; and


WHEREAS, Reverend Holland believes that Spiritual Health and Mental Health go hand-in-hand, his desire is to contribute to the improvement of mental health for all, diminishing the stigma associated with mental health and considers himself blessed to be able to serve on the Board of Directors of the Mental Health Association of Fauquier County (MHAFC); and

WHEREAS, Pastor Vinicent Holland is an invaluable resource to the Warrenton community focusing his impact on the spiritual issues that divide us based on stereotypes, and not by the moral arc of our character; and

NOW, THEREFORE, BE IT PROCLAIMED that the Warrenton Town Council hereby proclaims the month of February 2024 as "Black History Month" in the Town of Warrenton; and

BE IT FURTHER PROCLAIMED that the Mayor of the Town of Warrenton recognizes the work of Pastor Vinicent Holland in this community and commends his efforts to remind us that when we look at the love for each other, that we can share, we can come together to fix and resolve our issues.




H.E. Carter Nevill
Mayor
Town of Warrenton

February 13th, 2024
Town Council
Regular Meeting
RES-24-02-001

A RESOLUTION REMOVING THE AUTHORITY OF THE TOWN MANAGER TO DECLARE A WATER EMERGENCY DUE TO THE CONCLUSION OF DROUGHT CONTISIONS AT THIS TIME.

WHEREAS, on September 7th, 2023, The Town Council of the Town of Warrenton, Virginia, held a special meeting and passed a resolution authorizing the Town Manager to declare a Water Emergency due to drought conditions and recommendations by the Virginia Department of Environmental Quality (DEQ); and

WHEREAS, on January 9th, 2024, The Virginia Drought Monitoring Task Fource issued a Drought Status report that suggested lifting the Drought advisory for our region; and

WHEREAS, on January 19th, 2024, the Virginia Department of Environmental Quality issued a drought advisory update that lifted the Drought Watch for Fauquier County; and

WHEREAS, Section 17-146 of the Warrenton Town Code authorizes the Town Manager to declare water Emergencies with the approval of the Town Council; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Council of the Town of Warrenton hereby removes the authorization of the Town Manager to declare a water emergency affecting the use of water by persons and properties served by town water, inside and outside of the town boundaries, and removed the authorization of the publication of such emergency declaration pursuant to Section 17-147 of the Warrenton Town Code as needed and removes the authorization the Town Manager to take all necessary actions to implement conservation and other restrictions authorized under Sections 17-148 and 17-150 of the Warrenton Town Code to control and restrict the use of water during an emergency caused by a water shortage, including, but not limited to, imposition of penalties as provided under Section 17-151 of the Warrenton Town Code.

ATTACHMENT: Staff Report and Supporting Documents

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman,
Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

For Information:

Town Manager

Assistant Director Public Utilities

ATTEST: _____
Town Recorder

February 13th, 2024
Town Council
Regular Meeting
RES-24-02-003

A RESOLUTION TO APPOINT BRYAN BLACK MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS

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

WHEREAS, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

WHEREAS, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

WHEREAS, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

WHEREAS, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

WHEREAS Mr. Bryan Black is a "Class A" Builder who works in the community; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council hereby Bryan Black as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on February 14th, 2024, and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on February 14th, 2024.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Adopted:

For Information:

Building Code Official
Director of Community Development

ATTEST: _____


Town Recorder

A RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO SIGN A VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY REIMBURSABLE GRANT AGREEMENT FOR A SEPTIC LOCAL PARTNERS PROGRAM

WHEREAS, the Town Septic Remediation Committee has met since 2021 to identify and map in-town properties located on private septic systems; and

WHEREAS, the Septic Remediation Committee held a public workshop on December 7, 2021 to request property owners participate in surveys regarding septic, income limits, and property conditions, and willingness to participate; and

WHEREAS, the Septic Remediation Committee identified approximately 150 properties with varying age and conditions of septic systems across all five wards in town; and

WHEREAS, the Town Septic Remediation Committee and staff identified a grant opportunity to help in-town property owners on septic to connect to the Town's public sewer and that did not require a match of local funds; and

WHEREAS, the Virginia Department of Environmental Quality authorized and reserved a reimbursable Septic Local Partners Program grant to the Town the amount of \$750,000.00 to administer septic assistance utilizing the American Rescue Plan Act (ARPA) funds; and

WHEREAS, the Virginia Department of Environmental Quality approved a Program Design that allows for qualified, first come-first serve property owners to participate through a reimbursement based on income guidelines on October 26, 2023; and

WHEREAS, the grant agreement must be executed by March 31, 2024, with 50% of the grant amount disbursed by December 31, 2025, and the grant completed in 2026; and

NOW, THEREFORE BE IT RESOLVED, that the Warrenton Town Council Hereby Authorizes the Town Manager to sign a grant agreement with the Virginia Department of Environmental Quality for the Septic Local Partner Program for In-Town Properties for \$750,000.00 in reimbursable grant revenue to implement the Septic Local Partner Program grant.

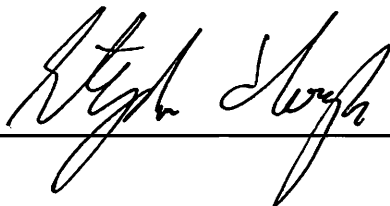
Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

ATTEST: _____

Town Recorder



February 13th, 2024
Town Council
Regular Meeting
RES-24-02-005

A RESOLUTION DIRECTING THE TOWN MANAGER TO END CONTRACT NEGOTIATIONS FOR THE PURCHASE OF REAL PROPERTY WITHIN TOWN BOUNDARIES: THE WARRENTON HORSE SHOW GROUNDS

WHEREAS, the 9.57-acre historic Warrenton Horse Show Grounds, located off of Shirley Avenue, is home to the country's oldest continuously operating horse show; and

WHEREAS, the Warrenton Horse Show Association ownership approached the Town to purchase the property to preserve the unique land and open it to the public year-round while continuing its popular use as an equine recreation facility; and

WHEREAS, The Town Council has previously directed the Town Manager to enter into Contract Negotiations for the Purchase of the property utilizing ARPA funding; and

WHEREAS, The Town Council has previously directed the Town Manager to enter into Contract Negotiations for the Purchase of the property utilizing ARPA funding; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council hereby directs the Town Manager to end contract negotiations with the Warrenton Horse Show Association for the purchase of the Warrenton Horse Show Grounds

ATTACHMENT:

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Meeting:

For Information:

Town Clerk

ATTEST:



Town Recorder

February 13, 2024
Town Council
Regular Meeting
RES-24-02-006

A RESOLUTION TO AMEND THE FISCAL YEAR 2024 ADOPTED BUDGET TO DE-APPROPRIATE GRANT FUNDING FROM VIRGINIA OUTDOORS FOUNDATION

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; 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, at the May 9, 2023, Town Council meeting, the Town Council authorized the Town Manager to execute a grant agreement with the Virginia Outdoors Foundation and by resolution appropriated the grant award in the amount of \$100,000 from the Virginia Outdoors Foundation under the Preservation Trust Fund – Public Access Program to assist with the purchase of a 9.57 parcel commonly referred to as the Warrenton Horse Show Grounds; and

WHEREAS, the purchase of said parcel will not move forward, negating the need for the grant agreement and the appropriation for the award; and

NOW, THEREFORE, BE IT RESOLVED this 13th day of February 2024 that the Warrenton Town Council Hereby authorizes the Town Manager to notify the Virginia Outdoors Foundation that the Town does not intend to move forward with the acquisition of the parcel; and

BE IT FURTHER RESOLVED that the Fiscal Year 2024 Adopted Budget is hereby amended to de-appropriate \$100,000 in grant funding from the Virginia Outdoors Foundation.

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Vote:

Absent from Meeting:

For Information:
Budget Manager

ATTEST: _____


Town Recorder

February 13, 2024
Town Council
Regular Meeting
RES-24-02-007

A RESOLUTION TO REALLOCATE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

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

WHEREAS, the U.S. Congress passed and the President signed the American Rescue Plan (ARP) Act of 2021 which established the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF); and

WHEREAS, the United States Treasury distributed funding under the CSLFRF to the Commonwealth of Virginia and mandated that Non-Entitlement Unit funds be distributed according to a formula based on population; and

WHEREAS, the Town of Warrenton is considered a Non-Entitlement Unit and has received a total allocation of \$10,403,180 according to the prescribed formula; and

WHEREAS, the Town Council appropriated the entire allocation of CSLFRF funds by resolutions passed at the June 16, 2022, September 13, 2022, June 13, 2023, and July 11, 2023 Council meetings; and

WHEREAS, at the June 13, 2023, Council meeting, as part of the Fiscal Year 2023-2024 budget appropriation, the Town Council appropriated \$1,600,000 of CSLFRF funding to be used for park land acquisition; and

WHEREAS, it has been determined that the acquisition of park land will not move forward, and other pressing needs have been identified that are qualifying uses under the applicable United States Treasury guidance for CSLFRF, to include a \$500,000 allocation to the Wastewater Treatment Plant capital payment, and a \$1,100,000 allocation to infrastructure improvements; and

NOW, THEREFORE, BE IT RESOLVED this 13th day of February 2024 that the Warrenton Town Council Hereby authorizes the reallocation of previously appropriated Coronavirus State and Local Fiscal Recovery funds in the amount of \$500,000 to the Wastewater Treatment Plant capital payment and \$1,100,000 to infrastructure improvements.

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Budget Manager

ATTEST: _____


Town Recorder

February 13th, 2024
Town Council
Regular Meeting
RES-24-02-008

A RESOLUTION DIRECTING THE TOWN MANAGER TO TAKE NECESSARY ACTION TO REMOVE THE DEED OF GIFTOM THE ST. LEONARD'S FARM PROPERTY

WHEREAS, 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; and

WHEREAS, the deed was to provide land to the Town for use of the wastewater treatment facility limiting operations of the plant to 2.5 MGD; and

WHEREAS, the plant operates under a required Department of Environmental Quality (DEQ) permit which currently restricts the plant to 90% of the permit maximum of 2.5 MGD; and

WHEREAS, various studies of capacity of the plant and operations have recommended upgrading the DEQ permit to 3.0 MGD with a 90% maximum outflow (2.7MGD); and

WHEREAS, to increase the permit requirements, modernize the plant for effective and efficient operations, and to provide the expected capacity needs of the plant the deed restriction must be lifted; and

WHEREAS, 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 Mr. Van Roijen; and

WHEREAS, The Town Council has identified the use of ARPA funding to satisfy the conditions of the Deed of Gift; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council hereby directs the Town Manager take the necessary actions to remove the Deed of Gift from the St. Leonard's Farm Property.

ATTACHMENT:

Votes:

Ayes: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire

Nays: Mr. William Semple; Mr. Eric Gagnon

Absent from Meeting:

For Information:
Town Manager

ATTEST: _____


Town Recorder