

Town of Warrenton Commission on Open and Transparent Government

Ensuring Accountability and Trust

Introduction

The Town of Warrenton is committed to fostering an environment of openness and transparency in all aspects of its government operations. To this end, by resolution dated January 14, 2025 (see attached), the Town of Warrenton Commission on Open and Transparent Government was established. The Commission's primary goal is to ensure that the residents of Warrenton have full and timely access to information regarding the town's governance, policies, and decision-making processes. This initiative is rooted in the belief that transparency fosters accountability, trust, and active citizen participation.

Objectives of the Commission

The Commission on Open and Transparent Government has several key objectives aimed at enhancing the transparency and accountability of the town's governance. These objectives include:

1. Ensuring Transparent Decision-Making

Transparency in decision-making is crucial for building public trust. The Commission will work to ensure that all decisions made by the town's government are transparent and based on comprehensive and objective information. This includes providing detailed explanations of the rationale behind decisions and making decision-making processes as open as possible.

2. Promoting Public Access to Information

One of the Commission's main objectives is to make information readily accessible to the public. This includes publishing meeting agendas, minutes, and official documents on the town's website, as well as providing access to public records in accordance with the Virginia Freedom of Information Act (VFOIA). Another objective is to make the information timely so that citizens believe that their voices matter and are not perceived as just an afterthought.

3. Encouraging Citizen Engagement

The Commission seeks to encourage active and meaningful citizen engagement by creating opportunities for residents to participate in town meetings, public hearings, and other civic activities. This includes providing clear and timely information about upcoming meetings and events, as well as offering multiple channels for citizens to submit their feedback and concerns.

Historically, public hearings have had little bearing on legislative decisions, especially those outside of the public participatory process. It has been observed that citizens are either too early in the legislative process (not enough information has been received to support a complete analysis) or too late (the decision has already been made). The Commission seeks to change this dynamic.

4. Enhancing Communication and Outreach

Effective communication and outreach are essential for promoting transparency. The Commission focuses on improving communication between the town's government and its residents through various means, including newsletters, social media, and public forums.

Structure of the Commission

Pursuant to the Resolution, the composition of the Commission will consist of two members of the Town Council, one of whom shall be the Vice Mayor, and three town residents selected by the two members and confirmed by the full Council.

The proposed composition of the Commission is currently as follows:

1. William Semple, Vice-Mayor, Ward 2, Chairperson
2. Eric Gagnon, Member of Council, Ward 5
3. Ken Alm
4. David Norden
5. Mike Kokoszka

Key Initiatives and Projects

The Commission on Open and Transparent Government will undertake various initiatives and projects to fulfill its mission. Some of the key projects include:

1. Examining Past and Current Processes and Procedures

The Commission plans to examine selected land use applications submitted over the past six years wherein major breakdowns in openness and transparency occurred that demonstrably eroded public trust. Consistent with the resolution approved by the Warrenton Town Council (attached), the Commission will investigate:

- 1) the inappropriate, untimely and premature intervention of government officials and employees into the land use application process before applications have been fully and independently reviewed, including but not limited to interfering with the responsibilities and objectives of advisory committees.

- 2) communications between government officials, staff and applicants whereby applicants are led to believe their projects are “green-lighted” well before the application has been fully and independently vetted by staff, advisory committees, the Town Council and the public.
- 3) the inappropriate influence of applicants on the legislative process, especially through ex-parte communications with staff, planning commission members, or Council members, including but not limited to communications from the applicant, the applicant’s representatives; and offers of inducements or the promise of employment.
- 4) the co-opting of staff to shield information from the legislative body through the use of non-disclosure agreements (NDA’s), inappropriate document redactions, or any other technique to shield information relevant to the public’s understanding of the project and government officials’ need to know.
- 5) The town code, ordinances and policies that serve to isolate procedures and processes from internal and external oversight, leading to : 1) a lack of accountability; 2) absence of oversight allowing for unchecked actions and decisions by government officials, 3) potential for corruption and favoritism, as isolated procedures can make it easier for undue influence to affect decision-making processes; and 4) inefficiencies and inconsistencies in the application of rules and regulations, resulting in a governance system that is neither fair nor effective.
- 6) Applicability of the Virginia Freedom of Information Act to the deliberations, working papers, and communications of town officials.
- 7) The applicability, or lack thereof, of the Town's Code of Ethics and its enforcement.

The Commission will conduct its review with the support of the Town Attorney to develop a record of relevant correspondence, applications, meetings, reports and any other materials relevant to the selected applications. The Commission will initially focus on the Town Council's

approval of the Special Use Permit 22-03 issued on February 14, 2023, to Amazon Web Service.

The Commission's investigation into these matters shall be governed by **the Council-approved** Investigation Protocol and Records Access Plan. This investigation is essential to ensure that the town's governance remains open and transparent, with robust checks and balances in place to prevent any form of impropriety. By addressing these issues, the Commission aims to restore and strengthen public trust in the town's governance, ensuring that all residents have confidence in the integrity and fairness of the decision-making processes that affect their lives.

2. Reviewing the Town Website and Data Portals

The Commission will review the Town's approach to providing residents access to a wide range of data sets related to the town's operations, finances, and services, including timely status updates on all land use applications.

3. Transparency Audits

The Commission will conduct regular transparency audits to assess how well the town is adhering to its transparency and open government principles. These audits help identify areas for improvement and ensure that the town remains accountable to its residents.

4. Community Feedback Program

The Commission will establish a Community Feedback Program to allow residents to provide input on various aspects of the town's governance, from policy decisions to public services. The Commission, in concert with the Town, will collect and analyze this feedback to help inform future initiatives and decision-making processes.

5. Preparation of a Report

The Commission shall prepare an interim or preliminary report to Council within six (6) months of its reengagement and a final report no later than twelve months from the Commission's reengagement or later date as the Council may allow, that provides the Commission's findings and recommendations regarding *inter alia* improvements to procedure, process and/or the Town's Code of Ethics to ensure that all communications with applicants are timely, open and transparent;

Conclusion

The Town of Warrenton Commission on Open and Transparent Government seeks to play a vital role in promoting accountability, trust, and citizen engagement. Through its various initiatives and projects, the Commission is committed to ensuring that the town's governance is open, transparent, and responsive to the needs of its residents. By embracing innovation and community collaboration, the Commission strives to create a more informed and engaged community, fostering a culture of transparency that benefits everyone.